

Commercial Recycling and Climate Change Tools and Resources



California Department of Resources Recycling and Recovery

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S T A T E O F C A L I F O R N I A

Jerry Brown
Governor

John Laird
Secretary, California Natural Resources Agency

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

Mark Leary
Acting Director

Department of Resources Recycling and Recovery
Public Affairs Office
1001 I Street (MS 22-B)
P.O. Box 4025
Sacramento, CA 95812-4025
www.calrecycle.ca.gov/Publications/
1-800-RECYCLE (California only) or (916) 341-6300

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Acknowledgments

The Institute for Local Government thanks the city and county officials, and representatives from the waste industry, business and apartment associations, and environmental groups who participated in the development of the resources completed under this contract. Their thoughtful insights and contributions enriched the project.

The Institute also thanks the staff of CalRecycle, as well as board members from the previous California Integrated Waste Management Board, for the partnership with the Institute. The effort was a true collaboration with the mutual goal of providing resources to help cities and counties enhance and expand waste reduction and recycling activities.

Executive Summary

The [Institute for Local Government](#) is the nonprofit research and education affiliate of the League of California Cities and the California State Association of Counties. The Institute's mission is to promote good government at the local level with practical, impartial, and easy to use resources for California communities.

One of the Institute's five program areas, [Sustainable Communities](#), includes the climate change program. The [climate change program](#) helps California communities play a leadership role to reduce greenhouse gas emissions, conserve resources, and save money. Two key elements of the program are the [Best Practices Framework](#) and a program to recognize local achievements to reduce greenhouse gas emissions, [The Beacon Award: Local Leadership toward Solving Climate Change](#).

Knowing of the Institute's efforts to address climate change and develop best practices that include waste reduction and recycling activities, in 2008 the California Integrated Waste Management Board (the predecessor to CalRecycle) approved a multi-year contract with the Institute to develop resources and tools to help local agencies increase commercial recycling, resulting in reductions in greenhouse gas emissions. According to 2008 CalRecycle's Waste Characterization Study, 75 percent of landfill waste is generated by businesses and multi-family housing, therefore, promoting increases in commercial recycling helps keep waste out of landfills, resulting in, among other things, reductions in methane (a greenhouse gas) released from improperly managed landfills.

Key elements of the contract were to develop resources for cities and counties, including:

- A sample commercial recycling ordinance;
- Stories of local agency commercial recycling programs;
- Additional waste reduction and recycling best practices; and
- A recognition award for local agencies that are implementing programs to reduce greenhouse gas emissions.

Resources and tools produced by the Institute as part of the contact include the following. All materials are available for free on the Institute's website (hyperlink provided). Those indicated by * appear in Attachment A.

1. *A [sample mandatory commercial recycling ordinance](#) that local agencies may adopt voluntarily.
2. *[Case stories](#) of different types of local commercial recycling programs.
3. *[Case stories](#) of successful education and outreach activities to promote commercial recycling and a regional commercial food waste collection program.
4. *Stories of two [pilot jurisdictions](#) that adopted a commercial recycling ordinance, summarizing their experiences, lessons learned, and impacts of the ordinance on the amount of commercial waste recycled.
5. *Enhanced [waste reduction and recycling sections](#) of the Institute's climate change best practice areas.

6. A program to recognize cities and counties that reduce greenhouse gas emissions, including activities that involve waste reduction and recycling. CalRecycle resources were critical in the initial development of the program, [The Beacon Award: Local Leadership toward Solving Climate Change.](#)
7. Five free [webinars](#) for local officials. Four covered key topics related to successful commercial recycling programs, and one covered the proposed statewide commercial recycling regulations and tools to assist local agencies. This latter webinar included the Institute's commercial recycling resources and the new commercial recycling cost calculator developed by Cascadia, under contract with CalRecycle. The four initial webinars included brief overviews of the proposed state regulations. The webinars are archived on the Institute's website for future viewing.
8. *A [template for a sample commercial recycling flyer](#) that local agencies can use to educate and inform businesses about new state recycling requirements and any local requirements. One sample flyer template is designed for businesses in general and one for apartments and tenants. Each is available in English and Spanish and can be modified to reflect the community's unique circumstances. The Institute also prepared a sample cover letter local agencies could use, as well as instructions for local agencies on how to modify the sample template flyers.
9. [Commercial Recycling Online Resource Center](#) as part of the Institute's website to provide easy access to the resources developed and collected during the contract period.
10. A short [video](#) to introduce the Commercial Recycling Resource Center and explain the resources available to visitors, along with four other videos related to commercial recycling.

Methodology to Develop the Sample Commercial Recycling Ordinance

The [sample commercial recycling ordinance](#) is designed as a guide to help cities and counties that wish to *voluntarily* adopt a mandatory commercial recycling ordinance. A copy of the sample ordinance appears in Attachment A in PDF form. A Word version of the sample ordinance can be found on the [Institute for Local Government website](#).

The sample ordinance originally was intended to be a tool that local agencies might adopt voluntarily, should they wish to do so, to expand commercial recycling. At the time the California Integrated Waste Management Board (the predecessor to CalRecycle) asked the Institute to prepare the sample ordinance, commercial recycling was not specifically included in the Air Resources Board's AB 32 Scoping Plan. The AB 32 Scoping Plan, adopted in December 2008, subsequently included a measure to reduce greenhouse gas emissions by increasing commercial recycling. Thus, when CalRecycle began preparation of AB 32-related regulations, i.e., mandatory commercial recycling regulations, it benefited from the feedback and analyses that occurred during the development of the Institute's sample ordinance.

As an initial step in developing the sample ordinance, Institute staff reviewed about 10 different existing mandatory commercial recycling ordinances in California and other states. The goal was to understand common trends and differences and identify key issues for discussion prior to drafting the sample ordinance. Examples include the following issues:

- Should source separation be required?
- Should the sample ordinance include exemptions—if yes, then what are the criteria?
- Should the sample ordinance include an escape route for weak markets for recyclable materials—if so, how does that work?
- Is there a difference in whether the local solid waste regulatory structure is exclusive franchise or open competition, or if the service is provided by the local agency itself? Does this make a difference in how the sample ordinance is written?
- What are appropriate enforcement mechanisms?

An Advisory Committee consisting of city and county staff (attorneys and solid waste experts) and representatives from the waste industry and CalRecycle helped guide the development of the sample ordinance. The Advisory Committee met numerous times in person or by conference call to outline options for key elements in the sample ordinance, discuss specific legal language and general provisions, advise on options to include and provide technical input on such topics as thresholds for inclusion (such as four cubic yards per week of solid waste), enforcement options, and how to cover mixed waste recycling facilities. In addition, representatives from the environmental and business communities were invited to participate on the Advisory Committee and review the ordinance drafts. The ordinance itself was drafted by an attorney hired by the Institute who had extensive experience in municipal solid waste issues.

Sample Commercial Recycling Ordinance Advisory Committee (in addition to CalRecycle representatives)

- Chance Hawkins, City of Chula Vista
- Chuck Helget, Republic Services, Inc.
- Sandra J. Fox, Attorney at Law
- Lynn France, City of Chula Vista
- Harvey Levine, City of Fremont
- George Larson, Waste Management, Inc.
- Randy Murphy, Glenn County
- Patrick Quinn, Sacramento County
- Lisa Rapp, City of Lakewood
- Chuck White, Waste Management, Inc.
- Laura Wright, City of Pittsburg

A final draft of the sample ordinance was shared with a wide range of city and county staff, waste industry, business, recycling and environmental representatives, and CalRecycle staff. Comments and suggestions covered issues related to which businesses should be included, how to handle enforcement and compliance, the role of solid waste and recycling service providers, whether or not to include state and federal agencies, and how to deal with communities whose waste is sent to mixed waste material recovery facilities. The draft sample ordinance was modified to respond to most of the comments offered.

The final sample ordinance includes the following.

- An overview of key issues local officials may consider when preparing a local ordinance, such as:
 - Review Existing Franchises, Permits and Contracts
 - Market Conditions for Recycled Materials
 - Types of Materials to Include in the Ordinance:
 - Identify What is Included in Existing Franchises, Contracts, and Permits
 - Green Waste, Food Waste, and Other Compostables
 - Flexibility to Change Definition of Recyclable Materials
 - Construction and Demolition Waste
 - Multi-Family Dwelling Units
 - Large Venues and Special Events
 - Exclusive Franchise versus Open Competition
 - Tiered Fee Structure as Incentive to Recycle
 - Enforcement Options
 - Thresholds for Inclusion
 - Types of Exemptions
- Information about the importance of education and outreach activities.
- Appropriately written ordinance language that meets the standards of city or county ordinances.
- Options for local agencies to consider for several provisions of the ordinance, such as enforcement and compliance, material types, green waste, etc.
- Detailed commentary explaining the background of numerous provisions (including 40 endnotes with guidance commentary and/or legal citations).

The final version of the sample ordinance is posted on the Institute's [website](#). It is available as a PDF and in a Word format so that local agencies may modify it easily.

The Institute promoted the availability of the completed sample ordinance through a variety of means.

These include:

- Short articles in weekly newsletters of the League of California Cities and California State Association of Counties.
- Article in *Western City*, the League of California Cities monthly magazine.
- Presentations to League of California Cities policy committees, meetings of the County Engineers Association of California (CEAC) solid waste committee, the County Counsels Association of California 2010 Conference, and the Contract Cities 2010 Fall Seminar.
- Inclusion in support materials prepared for the five webinars hosted by the Institute under this contract.
- Presentations at several CalRecycle workshops related to development of the state's proposed commercial recycling regulations.

In addition, CalRecycle promoted the sample ordinance through its email lists and on its website.

To help local officials understand how the sample ordinance can be used by local agencies to reflect their unique circumstances, video interviews of two local officials (Lisa Rapp, public works director, City of Lakewood, and Susan Klassen, deputy director, Department of Transportation and Public Works, County of Sonoma) appear on the Institute's [website](#).

Finally, [two stories](#) were prepared that summarized the experiences of two communities that adopted mandatory commercial recycling ordinances. (More about these stories is provided in the next section of the final report.) The Salinas Valley Solid Waste Authority based its ordinance on the Institute's sample ordinance. The City of San Carlos did not base its mandatory ordinance on the Institute's sample ordinance.

Susan Warner, division manager of the Salinas Valley Solid Waste Authority, commented about using the Institute's sample ordinance, saying, "The Institute's sample ordinance, with the flexibility to modify different sections to meet local conditions, was wonderful. It prompted us to explore individual issues so we could focus our thoughts and needs on what would be the best way to meet circumstances in multiple jurisdictions. It was very helpful and made my job easier."

Case Studies of Pilot Jurisdictions

The Institute prepared [stories](#) about two agencies that adopted mandatory commercial recycling ordinances. The Institute studied one city and one regional solid waste joint powers authority that recently adopted mandatory commercial recycling ordinances: the City of San Carlos and the Salinas Valley Solid Waste Authority. The latter modeled its commercial recycling ordinance after the sample ordinance developed by the Institute; the former did not. The Institute selected these two agencies because they were adopting their mandatory ordinances at the time the Institute was interested in studying their progress, their staff were willing to devote time to talk with Institute staff and review drafts of the stories written about their communities, and they were uniquely positioned to provide insights about their agencies' experiences.

The objective of studying the pilot jurisdictions was to learn about experiences of local agencies in adopting and implementing a mandatory commercial recycling ordinance. That information can be shared with others interested in considering adopting a similar ordinance. Topics covered included: how the agency worked with businesses; education activities; lessons learned; costs to local agencies; enforcement and compliance history, and where data is available; tonnages on materials collected that otherwise would have been disposed; and cost savings to businesses.

The methodology for preparing the pilot jurisdictions case studies was as follows.

- Researched preliminary information about both agencies and their solid waste and recycling infrastructure, business community and population through review of their websites and related web-based resources.
- Developed a set of questions to serve as the basis of an initial interview and follow-up interview of a representative of the pilot jurisdiction. The questions were developed in collaboration with CalRecycle staff. Key in preparing the questions was to find a balance between gathering useful information and insights from the agency staff without imposing an unrealistic burden on them in terms of time and resources.
- Interviewed the representatives from both agencies in fall 2010 and prepared a write-up of their responses to the questions.
- The initial write-ups were reviewed by the agency representatives and modified where necessary for accuracy. The initial write-ups were shared with CalRecycle staff.
- About six months later (in April 2011), Institute staff contacted the agency representatives again to conduct a second interview. The purpose was to identify any new lessons learned and best practices, hear how the programs are proceeding, and gather information about costs, compliance, enforcement and tonnages (if available) collected.

Based upon both sets of interviews, key lessons learned from the two agencies include the following:

- Involving the key stakeholders early in the process is critical to success. Providing information to businesses about the goals of the ordinance and opportunities to raise and address concerns offers businesses an opportunity to be part of the process. This may enhance support from the business community.

- Be sure to work with the haulers very early in the process. They can help with education and enforcement.
- Phasing in the ordinance over time helps businesses understand the requirements and become comfortable with recycling.
- The opportunity for businesses to save money by recycling cannot be overemphasized as a key message to promote compliance.
- In addition to the opportunity to save money, education about the program is critical. This includes offering waste assessments, one-on-one consultation to help businesses, and easy-to-use written material.
- It is important to be able to tailor an ordinance to meet the unique circumstances of individual communities.
- Review existing franchises or solid waste agreements, and be sure they and the ordinance are harmonized.

Results to date in San Carlos and the Salinas Valley Solid Waste Authority indicate successful programs, so far. Although preliminary data is still forthcoming about tonnages of materials recycled and diverted from landfill disposal, compliance rates, and savings to businesses, early observations from the two agency representatives interviewed provide early anecdotal information.

Neither agency reports any enforcement actions to date, reflecting the effectiveness of the initial educational efforts. The Salinas Valley Solid Waste Authority reports that in the City of Greenfield, since mandatory commercial recycling became effective, businesses increased recycled material tonnage by 152 percent between 2009 and 2010. At the same time, businesses reduced the amount of solid waste being disposed with commensurate cost savings. One countywide property multi-family (apartment) manager saved \$72,000 in the first full year after implementing a recycling program to comply with the ordinance.

Case Studies of Jurisdictions with Commercial Recycling Programs

The Institute prepared three types of [case stories](#) about city and county commercial recycling programs. The first consists of 11 stories about local agency commercial recycling programs, both voluntary and mandatory. The second consists of three stories about successful commercial recycling outreach and education activities. The third consists of one story about a regional food waste collection program.

Stories about Local Commercial Recycling Programs

- County and City of Sacramento
- County of San Diego
- City of Arcadia
- City of Chula Vista
- City of Fresno
- City of Huntington Beach
- City of Irvine
- City of Kingsburg
- City of Loomis
- City of Ojai
- City of Poway
- Salinas Valley Solid Waste Authority
- City of San Carlos

Stories about Education and Outreach Activities

- City of Kingsburg
- City of San Diego
- Alameda County Solid Waste Authority

Story about Organics—Commercial Food Waste Program

- Orange County Regional Collaboration

The methodology for completing the case stories included the following:

- Identify cities and counties with effective programs that reflect a mix of large, small, rural, suburban, and urban communities. The stories also reflect a mix of different types of commercial recycling programs that may be typical throughout California communities, including mandatory ordinances, voluntary efforts, unique solutions to difficult design problems, and coordination with a mixed waste processing facility.
- Develop a common format for each case story. The format uses the following as the main topic headings: Summary; Program Highlights; Lessons Learned; Resources to Learn More; and The Rest of the Story. In preparing the stories, the Institute coordinated with the effort with contract with another agency, the California Air Resources Board, to prepare [case stories](#) on four other

best practice areas. Best practice areas for this effort were green building, land use and community design, efficient transportation, and public engagement. Coordinating the two efforts resulted in economies of scale and a standardized format.

- Each story has an educational “climate action connection” statement that blends a statement about the greenhouse gas implications of waste disposal and how the community’s unique recycling efforts helps reduce greenhouse gas emissions. The intent is to educate readers about the relationship between climate change, solid waste disposal, and recycling.
- Interview key agency staff related to the commercial recycling program. These generally were the public works director or county engineer, recycling/solid waste manager, or city manager. Each interview used a standardized set of questions to compile consistent information about each agency.
- Once the draft story was prepared, the agency representative reviewed it for accuracy and changes were made if necessary.
- The stories were then reviewed by CalRecycle staff and modified if necessary.
- All stories are posted on the Institute’s [website](#) in several places. The stories are accessible from the “[Climate Leadership Stories](#)” section, on a separate page devoted to [commercial recycling stories](#), are integrated into the [Waste Reduction and Recycling Best Practice Area](#) where relevant, and are accessible on the [Commercial Recycling Resource Center](#).

The stories identify several key themes related to encouraging or requiring businesses to recycle.

- Two critical elements promote successful commercial recycling efforts:
 - A tiered fee structure that acts as an incentive for the business to recycle—that is, lower fees for collection of recyclables and higher fees for collection of solid waste; and
 - A robust and comprehensive education program to help businesses understand how to recycle and the potential to save money by taking advantage of the tiered fee structure.
- Successful commercial recycling programs exist in communities with open competition and exclusive franchise; in rural, suburban, and urban communities; as well as in small, medium, and large communities.
- One size does not fit all in terms of which businesses are covered. Some programs require all businesses (and multi-family communities) to recycle. Others require those businesses that generate above a certain threshold (such as four cubic yards of waste per week) to recycle.

Best Practices Framework and Beacon Award: Local Leadership toward Solving Climate Change

Best Practices Framework

The Institute's [climate action and sustainability best practices framework](#) consists of 10 areas to help local agencies identify activities they may consider implementing at the local level to reduce greenhouse gas emissions. It is designed to provide a range of activities local agencies can study and adapt, based upon the unique circumstances of their community. The 10 best practice areas are:

1. Energy Efficiency and Conservation
2. Water and Wastewater Systems
3. Green Building
4. Waste Reduction and Recycling
5. Climate-Friendly Purchasing
6. Renewable Energy and Low-Carbon Fuels
7. Efficient Transportation
8. Land Use and Community Design
9. Open Space and Offsetting Carbon Emissions
10. Promoting Community and Individual Action

The [Waste Reduction and Recycling](#) best practice area benefited from input from city and county elected officials and staff, CalRecycle staff, waste industry and recycling representatives, environmental group representatives, and members of the business community. The section was updated after completion of the case stories to add links to specific stories that illustrate the different best practice activities, where appropriate. In addition, other best practices, such as green building, include activities that promote recycling, such as use of recycled-content materials.

Beacon Award: Local Leadership toward Solving Climate Change

The Institute's climate change and sustainability recognition program, the [Beacon Award: Local Leadership toward Solving Climate Change](#), recognizes and celebrates cities and counties that:

- Reduce greenhouse gas emissions
- Save energy
- Adopt policies and programs that promote sustainability

Launched in August 2010, the Beacon Award is the first of its kind in California. There is no deadline to apply; applications will be accepted on an ongoing basis. As of mid-May 2011, nearly 20 cities and counties are participating in the Beacon Award program, with many more in various stages of applying or

thinking of applying. In spite of severe financial and resource constraints, interest in participating in the Beacon Award program continues to grow. There is no deadline to submit an application to participate. The Institute's website provides a current list of [cities and counties participating](#) in the Beacon Award program.

In order to participate in the Beacon Award, cities and counties must:

- Adopt a resolution by the governing body committing the agency to participate in the program;
- Designate a lead staff person as a point of contact;
- Prepare, or commit to prepare, a baseline greenhouse gas emissions inventory for agency facilities and the community as a whole (previously completed inventories using a commonly accepted methodology will be accepted);
- Prepare, or commit to prepare, a climate action plan that includes actions in each of the Best Practice Areas (previously completed plans using a commonly accepted methodology will be accepted);
- Demonstrate compliance with AB 939, the California Integrated Waste Management Act of 1989; and
- Achieve specified measurable greenhouse gas reductions and energy savings in agency facilities, and achieve measurable greenhouse gas reductions and promote energy conservation activities in the community.

To become a Beacon Award winner, agencies must achieve specified measurable greenhouse gas reductions and energy savings in agency facilities, and achieve specified measurable greenhouse gas reductions and promote energy conservation activities in the community. The agency will also complete activities in each of the Best Practice Areas. The minimum requirements listed for each award level must be completed to receive the respective award. Local agencies will also be recognized for interim achievements.

Details about requirements for the three award levels follows:

Silver Beacon Award	
Agency facilities and operations	
Greenhouse gas reduction:	Five percent in agency facilities and operations
Energy savings:	Five percent in agency facilities and operations from energy efficiency retrofits
Community	
Greenhouse gas reduction:	Five percent in the community as a whole
Energy efficiency:	One activity that promotes energy efficiency in the community
Best Practice Areas	One activity in each of the Best Practice Areas

Gold Beacon Award

Agency facilities and operations

Greenhouse gas reduction:	Ten percent in agency facilities and operations
Energy savings:	Ten percent in agency facilities and operations from energy efficiency retrofits

Community

Greenhouse gas reduction:	Ten percent in the community as a whole
Energy efficiency:	Two activities that promote energy efficiency in the community

Best Practice Areas	Two activities in each of the Best Practice Areas
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Platinum Beacon Award

Agency facilities and operations

Greenhouse gas reduction:	Twenty percent in agency facilities and operations
Energy savings:	Twenty percent in agency facilities and operations from energy efficiency retrofits

Community

Greenhouse gas reduction:	Twenty percent in the community as a whole
Energy efficiency:	Four activities that promote energy efficiency in the community

Best Practice Areas	Three activities in each of the Best Practice Areas
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Support from CalRecycle was critical to the development of the Beacon Award program in several ways. First, CalRecycle staff participated in the Advisory Committee that assisted in the program design. Second, CalRecycle staff provided input to the Institute during selection of the award program name. Third, because the California Public Utilities Commission delayed by one year the start date of the public goods program cycle, which is the main funding source for the Beacon Award, funding from CalRecycle through this contract enabled the Institute to continue with the final steps in the development of the Beacon Award until California Public Utilities Commission funding was available Jan. 1, 2010.

Other Resources Developed For Cities, Counties, and Others Related to Commercial Recycling

Commercial Recycling Resource Center

The [Commercial Recycling Resource Center](#) on the Institute's website is a one-stop web-based center that houses the resources developed by the Institute as part of this contract, links to resources and materials available from other agencies or groups, and links to CalRecycle resources. It also integrates the various waste reduction and recycling resources available elsewhere on the Institute's website. The Commercial Recycling Resource Center includes the following topic areas where visitors can find information:

- ILG Sample Commercial Recycling Ordinance
- Examples of Local Commercial Recycling Ordinances
- CalRecycle Resources Related to Commercial Recycling
- Local Agency Websites
- Outreach and Educational Resources
- ILG Commercial Recycling Case Stories
- A Snapshot of Local Agency Commercial Recycling Programs and Policies
- Working with Local Businesses to Increase Recycling (A White Paper)
- Increasing Commercial Recycling: Tips for Local Agency Leaders (A White Paper)

It also hosts a short video highlighting information that local officials will find to help them increase commercial recycling and reduce greenhouse gas emissions. The video features CalRecycle Acting Director Mark Leary explaining the types of resources available to city and county officials.

Commercial Recycling Webinar Series

Between June 30, 2010, and May 2, 2011, the Institute offered five [webinars](#) on topics related to commercial recycling. The topics were selected in consultation with CalRecycle staff and representatives from the League of California Cities and the California State Association of Counties staff. The April 7, 2011, webinar was a result of a topic suggested by a previous webinar attendee on the post-webinar evaluation.

Each webinar began with a short overview of the proposed statewide mandatory commercial recycling regulations, followed by focused presentations on selected topics related to commercial recycling. CalRecycle staff presented the overview and responded to questions. Other webinar speakers included city and county experts and representatives from the waste and recycling industries and apartment association, as appropriate for the topic.

Webinar attendees included state, regional, city, and county staff, consultants, and individuals from environmental groups. The majority of attendees were local government staff. Individuals from other states, including state agency and local governments, also participated. The local agency staff was mid-

level city or county staff responsible for designing and managing recycling programs that generally are not able to attend statewide or regional conferences. Given the resource constraints facing local agencies, the webinars were extremely effective in reaching the target audience.

The titles, registration, and attendance of each are listed below. All webinars, including support materials, are archived on the Institute's website. Participant polling during the webinars indicates that individuals attended more than one webinar, or, if they did not attend "in person," viewed past archived webinars.

- **Adopting A Commercial Recycling Ordinance—How to Get Started**
June 30, 2010—Registered: 177; Attended: 127
- **Creating Effective Commercial Recycling Education and Outreach Activities**
Oct. 6, 2010—Registered: 213; Attended: 145
- **Creating Enforcement and Compliance Elements for Commercial Recycling**
Dec. 16, 2010—Registered: 141; Attended: 89
- **Recycling Programs at Apartment Complexes: Success Tips for Local Officials**
April 7, 2011—Registered: 226; Attended: 161
- **Understanding California's Proposed Commercial Recycling Regulations: What Local Agencies Need to Know About the Education, Outreach, and Monitoring Requirements**
May 2, 2011—Registered: 263; Attended: 193

The webinars were promoted through the League of California Cities, the California State Association of Counties, the Regional Council of Rural Counties, and CalRecycle. They were also promoted to past webinar attendees, and information about the webinars was picked up in other electronic newsletters, reaching a national audience.

Post-webinar evaluations indicate they were very successful in helping attendees understand the proposed commercial recycling regulations, as well as providing useful information to help the attendees understand and develop programs specific to the individual webinar topic (such as how to get started, how to create successful education and outreach programs, and multi-family community recycling).

One city official, Paradise Vice Mayor Woody Culleton, told Institute staff that as an elected official from a rural Northern California community, he appreciated the ability to attend the webinar and learn valuable information without having to drive to Sacramento. His full video interview is posted on the [commercial recycling webinar page](#).

Commercial Recycling Sample Flyer Template

To provide another tool to help local agencies increase commercial recycling, CalRecycle asked the Institute to prepare a [sample flyer template](#) to educate businesses about the need to recycle. The Institute produced separate flyer templates for businesses and apartments. Each is available in English and Spanish. The flyer templates can be modified by cities and counties to fit the community's unique conditions, such as if a local ordinance exists, or to insert the agency's website or telephone number to identify recycling service providers. The Institute also prepared a sample cover letter that cities and counties may use to provide to businesses along with the flyer, as well as instructions on how to modify the flyer templates. The templates come in both an InDesign and PDF format.

An Advisory Committee assisted the Institute to develop the sample flyer template. While some members also served on the Sample Ordinance Advisory Committee, additional members with expertise in commercial recycling outreach, and recycling and multi-family community issues, also participated. The Advisory Committee met several times by telephone to advise the Institute. They reviewed a variety of different types of commercial recycling flyers produced by local agencies and waste companies, identifying key features that might be included in the Institute's sample flyer, as well as key features that should not be included, such as excessive text. The final versions were reviewed by CalRecycle staff and suggested changes incorporated. The flyer template directed to apartment owners/operators and tenants was reviewed by representatives of the California Apartment Association to ensure that the information included would be effective for the target audience.

Initially, only one flyer template in English and Spanish was planned, directed at all businesses, including apartments. However, after assessing the suggestions from the project's Advisory Committee, Institute staff proposed to CalRecycle that an additional flyer template be prepared for apartment communities, including owners/operators and tenants. Thus, two flyer templates (each in English and Spanish) are available to help cities and counties educate businesses and apartment owners/managers and tenants about the need to recycle.

The Institute contracted with a local company to translate the content into Spanish. CalRecycle staff with knowledge of how solid waste and recycling terms are used in Spanish reviewed the Spanish text and made suggestions to improve the content. The Institute also worked with a graphic designer and consultant on this project.

Sample Commercial Recycling Flyer Advisory Committee

(in addition to CalRecycle representatives)

- Robert Angell, Waste Management, Inc.
- Robert Callahan, California Chamber of Commerce
- Debra Carlton, California Apartment Association
- Lynn France, City of Chula Vista
- Justin Lehrer, Alameda County Solid Waste Authority
- Susan Moulton, Waste Management, Inc.
- Randy Murphy, Glenn County
- Johnnie Perkins, Republic Services
- Mary Pitto, Regional Council of Rural Counties
- Ken Prue, City of San Diego
- Patrick Quinn, Sacramento County
- Lisa Rapp, City of Lakewood
- Eric C. Wieggers, California Apartment Association
- Laura Wright City of Pittsburg

Enduring Resources and Tools to Help Cities and Counties Reduce, Reuse, and Recycle

The partnership between the Institute and CalRecycle serves as a model for how state agencies can provide resources to local agencies. In supporting the work of the Institute, CalRecycle collaborated with an organization that is viewed as a trusted source of information by cities and counties. Because of its relationship with the League of California Cities and the California State Association of Counties, the Institute is able to reach out to and hear from cities and counties throughout California in ways not available to CalRecycle itself.

In addition, because the resources and tools developed by the Institute as part of its contract with CalRecycle appear on the Institute's website, cities and counties can find them easily. In fact, the commercial recycling resource center consistently has been in the top 10 or 15 visited pages on the Institute's website.

The results of the partnership provide enduring resources and tools to help cities and counties reduce waste and increase recycling well beyond the end of the contract.

Attachment A.

Attachment A includes copies of most of the materials produced by the Institute as part of this project, as indicated by “*” in the Executive Summary. Those materials not available in hard copy, such as archived webinars, are available on the Institute’s website using the links provided in the final report.

Attachment A includes the following:

- Sample commercial recycling ordinance (also available as a separate Word version)
- Case stories of different city and county commercial recycling programs, successful education and outreach programs, a regional commercial food waste collection program, and experiences of two agencies that adopted mandatory commercial recycling ordinances.
- Institute’s climate action and sustainability Best Practices Framework (including the waste reduction and recycling section).
- Sample commercial recycling flyer template (in English and Spanish) for businesses and apartments, plus sample cover letter and instructions to modify the flyer templates.



Attachment A

CalRecycle Contract Final Report Contract IWM07043

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- I. Sample Commercial Recycling Ordinance
- II. Leadership Stories on Commercial Recycling
- III. Best Practices Framework
- IV. Commercial Recycling Flyer Template:
 - a. Apartment (English)
 - b. Apartment (Spanish)
 - c. Business (English)
 - d. Business (Spanish)
 - e. Sample Cover Letter to Businesses and Apartments Owners-Managers Receiving Commercial Recycling Flyer
 - f. Instructions for Modifying the Commercial Recycling Flyer Template: “What You Need to Know About Recycling Requirements for Apartments”
 - g. Instructions for Modifying the Commercial Recycling Flyer Template: “What You Need to Know About Business Recycling”



INSTITUTE FOR
LOCAL GOVERNMENT

Promoting Good Government at the Local Level

SUSTAINABILITY/CLIMATE CHANGE

Sample Commercial Recycling Ordinance



INSTITUTE FOR
LOCAL GOVERNMENT

CALIFORNIA CLIMATE ACTION NETWORK

Sample Commercial Recycling Ordinance

November 2009

Sample Commercial Recycling Ordinance

November 2009

This project was conducted as part of a contract with the California Integrated Waste Management Board (now CalRecycle). The Institute thanks the county, city, waste industry and Waste Board representatives who participated in the Advisory Committee that helped develop the sample ordinance. In addition, the Institute thanks those city and county officials who reviewed early drafts of the sample ordinance and provided comments.

ABOUT THE INSTITUTE FOR LOCAL GOVERNMENT

The Institute for Local Government is the nonprofit research affiliate of the League of California Cities and the California State Association of Counties. Its mission is to promote good government at the local level.

The Institute's current program areas include:

- Climate Change
- Collaborative Governance Initiative
- Healthy Neighborhoods
- Intergovernmental Conflict Resolution
- Land Use and Environment
- Local Government 101
- Public Service Ethics

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SAMPLE MANDATORY COMMERCIAL RECYCLING ORDINANCE

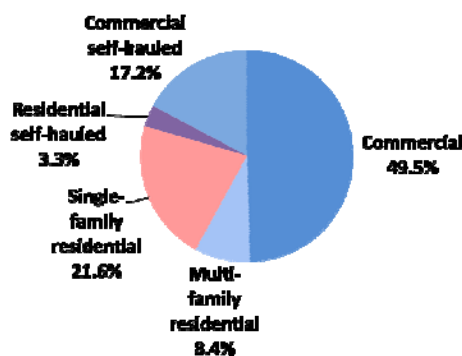
I. Introduction

It has been twenty years since California enacted the California Integrated Waste Management Act of 1989, also known as AB 939.¹ Since that time, local agencies, the solid waste and recycling industries, along with local residents and businesses throughout California, have jointly embraced efforts to “reduce, re-use and recycle,” thus diverting recyclable materials from landfill. According to information from the California Integrated Waste Management Board, California’s statewide mid-decade recycling rate was nearly sixty percent.

II. Expanding from Residential to Commercial Recycling Programs

While nearly all local agencies, in collaboration with their local waste haulers, have robust programs to collect and recycle materials generated by residential customers, programs to collect and process recyclable materials generated by businesses are not as numerous. The challenge now is to increase recycling by commercial and multi-family generators, who produce over seventy percent of solid waste generated in California, as indicated in the chart below.

Contribution of Each Sector to Statewide
Overall Disposal, 2008



21

Figure 1

(Source: California Integrated Waste Management Board; September 2009 Board Meeting Agenda)

¹ See Public Resources Code Section 40000 and following.

III. One Size Does Not Fit All

Existing local commercial recycling activities run the gamut from:

- No specific local agency activity to promote or increase commercial recycling.
- Voluntary programs in which haulers offer business customers recycling service.
- Locally adopted ordinances that require business to recycle.

(In addition, in some communities commercial waste and recyclables are separated at a mixed waste recovery facility, rather than by the generator.)

Two features promote successful commercial recycling efforts:

More information about existing commercial recycling programs is available at:

www.ca-ilg.org/commercialrecycling.

- A tiered fee structure that acts as an incentive for the business to recycle – that is, lower fees for collection of recyclables and higher fees for collection of solid waste; and

- A robust and comprehensive education program to help businesses understand how to recycle and the potential to save money by taking advantage of the tiered fee structure.

These are hallmarks of an effective commercial recycling program, regardless of whether it is mandatory.

IV. Background to the Sample Ordinance

The California Integrated Waste Management Board originally asked the Institute for Local Government to prepare a voluntary, sample mandatory commercial recycling ordinance. The goal was to assist local agencies that wanted to adopt a mandatory commercial recycling program.

Information about the state's commercial recycling regulatory process is available at:
www.calrecycle.ca.gov/climate/Recycling/default.htm

As part of implementing the contract, the Institute's California Climate Action Network (www.ca-ilg.org/climatechange) reviewed a number of existing mandatory commercial recycling ordinances from California cities and counties and from other states. It also established an advisory committee to help guide the development of the sample ordinance. Numerous city and county officials, as well as solid waste and recycling industry representatives, offered input as well. The sample ordinance provided here is the result of that effort.

While the voluntary, sample ordinance was under development, the California Air Resources Board adopted the AB 32 Scoping Plan.² That plan included a provision for mandatory

² AB 32, the Global Warming Solutions Act of 2006, establishes a process for California to reduce its statewide greenhouse gas emissions to 1990 levels by 2020. The AB 32 Scoping Plan contains the main strategies California will use to reduce the greenhouse gases (GHG) that cause climate change. Information about AB 32 and the AB Scoping Plan may be found at <http://www.arb.ca.gov/cc/cc.htm>.

commercial recycling. At this writing, the California Integrated Waste Management Board is preparing implementing regulations and expects them to be in place by January 2012.

This sample ordinance helps local agencies get a head start on this process. It also underscores the importance of flexibility at the local level.

V. How to Use the Sample Ordinance

The sample ordinance emphasizes policy choices at the local level. It is designed to be modified by individual agencies to reflect the unique circumstances of the city or county. As a result, in several sections it offers different options the local agency may consider.

Keep in mind that some choices will create a need to make choices elsewhere for policy coherence. The ordinance highlights some of these choices in *italics*. As with all ordinance drafting, local agencies are encouraged to consult with agency counsel to ensure that provisions are internally consistent, clear, reflect current law and meet the agency's needs.

The sample ordinance also includes extensive commentary on many provisions. The comments put the specific item in context and provide additional guidance or options. The provisions included in the sample ordinance are not intended to be exhaustive. Individual agencies may modify the sample language and/or adopt additional provisions in order to reflect local circumstances.

Cities and counties are generally considered to be commercial waste generators and customers. The sample ordinance is written to make it clear that its provisions apply to the local agency adopting the ordinance. This reinforces the concept of local agencies leading by example.

Important Issues to Consider

- Existing Solid Waste Franchises, Permits, Contracts
- Market Conditions for Recycled Materials
- Types of Materials to Include in Ordinance
- Multi-Family Dwellings
- Large Venues and Special Events
- Existing Solid Waste Regulatory System
- Tiered Rate Structure as Incentive
- Enforcement Options
- Thresholds for Inclusion
- Types of Exemptions

VI. Important Issues to Consider When Preparing a Mandatory Commercial Recycling Ordinance

Local agencies are encouraged to consider a number of issues when adopting a mandatory commercial recycling ordinance. The following highlights some of the key issues related to commercial recycling in general and the sample ordinance specifically.

A. Review Existing Franchises, Permits and Contracts

A mandatory commercial recycling ordinance should be considered in the context of the agency's existing solid waste and recycling regulatory system. This includes existing exclusive or non-exclusive franchises, local solid waste ordinances, policies and regulations, and hauling permit or contract conditions. For example, if an agency has an exclusive franchise with one

solid waste hauler to serve the commercial sector, review what types of commercial recycling, reporting or enforcement requirements already are included in the franchise or ordinance.

Agencies with an “open competition” system for the commercial sector also may have contract or permit conditions related to offering recycling services by haulers or recyclers.

B. Market Conditions for Recycled Materials

The recent ups and downs of the markets for recycled materials has had an impact on the value of recycled materials and may impact the costs and fees to collect and process recyclable material. When the market for some materials collapsed in the past, certain commodities were collected and stored until the market rebounded.

Thus, when designing a commercial recycling ordinance, it is helpful to evaluate the types of materials generated by a community’s businesses in light of the local market conditions for materials. In some cases, it may be appropriate to phase in a program, focusing on large generators or generators of certain types of materials first.

C. Types of Materials to Include in the Ordinance

The following sections offer suggestions to assist agencies to determine what materials to include in a local ordinance.

1. Identify What is Included in Existing Franchises, Contracts and Permits

The first step is to review existing franchises, contracts or permits to identify what material types already are required to be collected. The sample ordinance provides a potential list of material types, but specifically leaves the decision of what types of materials to include to the local agency.

The decision of what materials to include can be informed through consultation with local waste haulers and recyclers, composters and disposal facility operators.

2. Green Waste, Food Waste and Other Compostables

A key decision is whether to include green waste, food waste and other compostable materials in the agency’s definition of recyclable material. Local agencies should evaluate the collection, processing and marketing infrastructure when deciding whether to include green waste, food waste and other compostables.

3. Flexibility to Add Materials Covered

Some existing mandatory commercial recycling ordinances specifically give the agency the authority to administratively add material types to the definition of recyclable materials. This provides flexibility to respond to new market conditions or recycling infrastructure. The sample ordinance is written to grant the local agency the authority to administratively add (or delete) material types to the definition.

4. Construction and Demolition Waste

For a model ordinance and resources related to construction and demolition waste, see www.calrecycle.ca.gov/LGCentral/Library/CandDModel/

The processing and handling of construction and demolition waste (sometimes referred to as C and D waste) is sufficiently different from other commercial waste handling and processing that many agencies have adopted separate ordinances for this type of waste. Thus, the sample ordinance does not include construction and demolition waste in the list of recyclable materials.

D. Multi-Family Dwelling Units

Multi-family dwellings (also referred to as apartments) may also include duplexes, tri-plexes and four-plexes. They may be included in the ordinance at the agency's option. Some agencies include multi-family dwellings as part of the residential solid waste collection system, while others include them as part of the commercial solid waste collection system. In determining whether or not to include multi-family dwellings, the agency should evaluate its current franchise(s), permit(s), contract(s) and/or land use definitions. A similar evaluation can be done for mobilehome parks.

If multi-family dwellings are included in the ordinance, the definition should be consistent with the existing definition in the community. For example, some communities consider multi-family units of four or less to be residential and five or more units to be commercial. Others consider all multi-family dwellings to be commercial (or residential) regardless of size.

E. Large Venues and Special Events

Existing California law (Public Resources Code Section 42648 and following) includes recycling requirements for large venues and special events attended by more than 2,000 people. The sample ordinance includes options for a local agency to consider that go beyond existing California law and cover events and venues attended by fewer people. In making this decision, the local agency should review the existing criteria included in its special event permits so that the recycling provisions of the permits and any adopted mandatory ordinance are consistent.

CalRecycle provides resources and other information about state law requirements related to large venues/special events at: www.calrecycle.ca.gov/Venues/

F. Exclusive Franchise versus Open Competition

Mandatory commercial recycling ordinances exist in communities with different types of regulatory structure. These include agencies which provide the solid waste and recycling services themselves, or where the services are provided through an exclusive franchise or an open competition system. There are, however, some related factors that should be considered when developing a new ordinance.

For example, agencies with an open competition system need to be sensitive to competitive issues that may impact existing haulers or recyclers. Most haulers or recyclers are eager to

comply with recycling requirements. However, in certain situations, asking haulers or recyclers to enforce the ordinance by identifying generators who do not recycle (and thus making the generator subject to potential enforcement action) could put some haulers or recyclers at a competitive disadvantage with their customers if other haulers or recyclers ignore the enforcement requirements.

G. Tiered Fee Structure as Incentive to Recycle

Although tiered fee structures generally are outside the scope of a mandatory commercial recycling ordinance, they are an incentive that encourages recycling and compliance with the ordinance.

A tiered fee structure, in which no or low fees are charged for recycling services compared to garbage collection services, provides a financial incentive for the business to recycle. This is the case regardless of whether an agency requires that businesses recycle or if recycling is voluntary.

Tiered fee structures exist both in jurisdictions with exclusive franchises and those with an open competition system. In some jurisdictions, the haulers establish the tiered fee structure. In others, the local agency establishes the fee structure as part of the franchise or permit. While a tiered fee structure generally is not included in a mandatory recycling ordinance, it may be appropriate for consideration as part of a franchise, or as a condition for a permit or contract to provide solid waste handling services.

H. Enforcement Options

The sample ordinance includes three options to consider for enforcement. They are education only, incremental notification and service restrictions, and citations, fines or civil penalties. Although education alone may be one enforcement mechanism during a program's initial period (such as during a six to twelve month phase in period), note that education activities should be an ongoing part of any commercial recycling program.

Additional enforcement approaches may also exist, depending upon the circumstances within a community. For example, a jurisdiction may decide to combine individual features of the three options, plus an additional feature unique to its community, such as involvement of agency staff in responding to non-compliance. A key issue to consider when selecting an enforcement framework is the level of local staff and financial resources necessary to administer the program.

I. Thresholds for Inclusion

Agencies with existing mandatory commercial recycling ordinances vary widely regarding which businesses are covered. Examples of thresholds for inclusion are:

- All businesses;
- Businesses that generate more than a certain quantity of solid waste and recyclables;
- Businesses that generate specified types of solid waste and recyclables;

When considering the threshold to use, it is important to recognize that a lower threshold (that is, one covering more businesses) requires more resources for education and enforcement.

- Certain types of businesses; or
- Businesses with a specified number of employees or facility size.

The sample ordinance includes a threshold based upon quantity of solid waste and recyclables generated. Other thresholds can be used based upon local conditions.

J. Types of Exemptions

The sample ordinance includes several exemptions in order to be in compliance with existing law. For example, it includes exemptions for other governmental agencies, such as schools, state and other local government agencies, as well as those businesses that “self-haul” or donate or sell their recyclables. The sample ordinance includes options for additional exemptions to consider.

VII. Other Items to Consider

A. Involve the Impacted Business Communities

By engaging the key stakeholders early in the process (and not at the end), it is possible to identify and resolve potential problems.

Not unlike other new programs or ordinances that local agencies adopt, working with the impacted community – in this case the business and solid waste and recycling communities – during the development of the ordinance can be beneficial. This can promote community buy-in and

support and assist with rollout of the new program.

In addition, many haulers and recyclers have experience in providing commercial recycling services that may be helpful as the agency crafts its ordinance.

B. Mixed Waste Material Recovery Facilities

In some jurisdictions, solid waste goes to a mixed waste material recovery facility, also called a mixed waste MRF. Such facilities previously were referred to as “dirty MRFs.” In these communities, mixed waste – that is, garbage comingled with recyclable materials – is collected and sent to a material recovery facility for processing. Recyclable materials are separated from refuse at the facility (as opposed to source separated by the generator). Some mixed waste facilities have recovery rate requirements to ensure that they meet diversion rates comparable to rates from source separated programs. The decision of whether to use a mixed waste material recovery facility for commercial or residential systems is one best left up to the local agency.

In communities that use a mixed waste material recovery facility, it may not be necessary to adopt a comprehensive, mandatory commercial recycling ordinance. This is because the separation and processing of commercial generated solid waste and recyclable materials is done at the mixed waste material recovery facility, not by the generator.

Some communities with mixed waste material recovery facilities have found that encouraging or requiring generators to separate out cardboard and/or paper increases recycling rates and reduces contamination. This also can save the business money, since the amount of

solid waste collected is reduced. The sample ordinance can be modified to accommodate such a program if desired by the local agency.

At this time, it is not known how the commercial recycling regulations under development by the California Integrated Waste Management Board will deal with mixed waste material recovery facilities. Agencies contemplating use of a mixed waste material recovery facility in the future should examine the proposed and/or final regulations to understand how they relate to such facilities.

VIII. Education, Education ... and Still More Education

Everyone with experience in commercial recycling agrees that education is the single most important factor in determining success of a program. Without ongoing education, by both the haulers and local agencies, it is unrealistic to expect widespread compliance by the business sector.

“You can’t just adopt a mandatory commercial recycling ordinance, walk away and think that you have finished the job.”

-- Observation from local official about the importance of ongoing education activities.

Waste stream audits can be a useful educational tool. Many agencies routinely provide audits for the community’s largest generators, and audits for smaller businesses upon request. Waste audits can be done jointly by the agency and haulers, or the haulers can take the lead.

Examples of educational materials provided by local agencies and haulers are available on the Institute’s website at: www.ca-ilg.org/commercialrecycling, and at www.calrecycle.ca.gov/LGCentral/Library/Outreach/Default.htm.

Similarly, where tiered fee structures are in place, education can help the business understand the financial benefits of recycling. Either agency staff or haulers can provide this type of information.

Educating businesses about recycling is a dynamic and ongoing process. New businesses and employees need to be briefed about recycling requirements and opportunities. Existing businesses and their employees can be kept up to date on new information about recycling opportunities.

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Sample Commercial Recycling Ordinance

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Chapter 10-10 of the Municipal Code

SECTION 10-10-100 PURPOSE

The purpose of this Chapter is to:

(a) Promote recycling and diversion of solid waste from landfill by requiring businesses, non-residential properties, and commercial buildings to source separate recyclable materials from all other solid waste for recycling and diversion from landfill and provide for the collection of recyclable materials.³

(b) Comply with state recycling law, the California Integrated Waste Management Act of 1989 (also known as AB 939 and found at Public Resources Code Section 40000 and following), including the requirement that each city and county in California divert 50 percent, or the maximum amount feasible, of recyclable materials from landfills.

(c) Contribute to the reduction of potential greenhouse gas emissions.

(d) Establish requirements for recycling of recyclable materials generated by commercial facilities, properties and *special events*, in order to increase the diversion of recyclable and *compostable* materials from landfill disposal, thus reducing greenhouse emissions, minimizing waste and helping to ensure the maintenance, restoration, enhancement, and protection of the environment, including natural resources.

Words or phrases in *italics* in the sample ordinance identify provisions or terms that may need to be deleted or modified depending upon options selected for inclusion by the local agency.

(e) Provide an enforcement mechanism to ensure that business, commercial, non-residential properties, and *multifamily dwellings* provide for the proper collection of recyclable materials and provide protections against illegal scavenging of materials.

(f) Provide an exemption for generators who self haul, donate or sell their recyclables, *as well as provide an exemption process for those businesses that have major site constraints or generate a minimum level of material.*

SECTION 10-10-110 FINDINGS

The Agency finds and determines:

1. State recycling law, the California Integrated Waste Management Act of 1989, as amended, requires cities and counties to reduce, reuse and recycle solid waste generated in the state to the maximum extent feasible before disposal of waste, to conserve water, energy and other natural resources, and to protect the environment.

³ **Commentary:** Agencies served by mixed waste material recovery facilities that wish to adopt an ordinance to require some amount of source separation, such as for cardboard, may wish to add the following language: "...except when the waste hauler collects pursuant to a contract recyclable materials comingled with solid waste and separated from solid waste at a mixed waste processing facility."

2. The Agency continues to make progress in maintaining the disposal reduction requirements of the state recycling law, but additional efforts, particularly in the recycling of paper, cardboard, glass, and other recyclable materials generated by businesses, will assist the Agency in maintaining and exceeding the goal of diverting waste from landfill disposal.
3. Organic or compostable waste that is buried in the anaerobic conditions of landfills creates methane gas and leachate that may impact air and water quality. Reduction or capture of methane is critical as methane gas from the decomposition of waste is a source of renewable energy, but if not collected and controlled is at least twenty-one times as potent as carbon dioxide in contributing to climate change.
4. Reductions in greenhouse gas emissions from solid waste management can be realized by recovering traditional recyclable materials from the waste stream to use in the manufacturing of products from these materials. Traditional recyclable materials have significant intrinsic energy value that displaces fossil fuel energy requirements when introduced back into the manufacturing cycle. Additionally, by remanufacturing products using recycled materials, additional reductions in greenhouse gas emissions are realized through reduced fossil fuel demands in transportation and avoided methane emissions at landfills.
5. Efforts by the Agency and the private sector to encourage voluntary diversion of commercial and special event recyclable materials have not achieved desired levels of diversion. *[Insert specific local data here if desired by Agency.]* Additional efforts are necessary to ensure continued compliance with the requirements of the state recycling law and to ensure maximum recovery of valuable resources.
6. Mandatory commercial recycling programs in other cities and counties in California, similar to the one implemented by this Chapter, have proven successful.
7. In adopting this ordinance, the Agency agrees to be subject to the terms of this ordinance for all of Agency's non-residential facilities and properties, including parks and Agency buildings, as well as Agency sponsored or partnered special events.⁴
8. This ordinance requires diversion of Agency identified recyclable materials by businesses, commercial facilities, commercial properties, *and Multi-family Dwelling Units* and Agency will create and maintain a healthy, viable environment for current and future generations, and will become a model of sustainability.

SECTION 10-10-120 DEFINITIONS

As used in this Chapter, the following terms shall have the following meanings:

AB 939 means the state recycling law, the California Integrated Waste Management Act of 1989 (California Public Resources Code section 40000 and following).

Agency means the *City of _____ or County of _____*.

⁴ **Commentary:** Local agencies usually are considered commercial solid waste generators and customers. Many already have extensive programs to reduce, reuse and recycle for agency facilities and operations. The sample ordinance is written to make it clear that the provisions apply to the agency itself. This provides the local agency with the opportunity to lead by example.

Agency Director means the *City Manager or County Administrative Officer*, including his or her designee.

Authorized Recycler means any person or business entity which lawfully collects, accepts, transports or otherwise processes Recyclable Materials from Generators for a fee or profit through a proper permit, business license or other regulatory structure or authorization issued by the Agency.

Business means any commercial entity, including, but not limited to: proprietorship, firm, partnership, person in representative or fiduciary capacity, association, venture, trust, corporation which is organized for financial gain or for profit; or non-profit corporation or entity, or industrial or manufacturing, *restaurant, retail facility, office, markets, office buildings, hotels, motels, shopping centers, and theaters.*⁵

Collect or Collection means to take physical possession of and remove Solid Waste or Recyclable Materials at the place of generation.

Commercial Facility(ies) means any facility(ties) that is not a residential facility and includes any commercial facility, including but not limited to, a commercial facility, restaurant, retail facility, office, manufacturing or industrial facility, markets, office buildings, hotels, motels, shopping centers, theaters, *and Multi-Family Dwelling Units,*⁶ located within the boundaries of the Agency.

Compost is defined in state law (Public Resources Code Section 40116) as the product resulting from the controlled biological decomposition of organic wastes that are source separated from the municipal waste stream, or which are separated at a centralized facility. Compost may also include the product of anaerobic digestion or other conversion technologies.

Compostable Material or Compostables⁷ mean green waste and other material that can be broken down into, or otherwise become part of, usable Compost in a safe and timely manner, such as for use as soil-conditioning material. Compostable Material includes also waste such as *food scraps, soiled paper, and plant trimmings*. Compostable Material (California Public Resources Code Section 40116) includes vegetable, yard and wood wastes which are not hazardous waste. Compostable materials may also include disposable plastic food service ware and bags if labeled “Compostable,” in accordance with the Department of the Environment regulations for easy identification, meeting the ASTM Standard Specification (D6400) for compostable plastics, and consistent with state labeling law (California Public Resources Code Section 42359) that any plastic bag or food container labeled “compostable” must meet the ASTM Standard Specification for compostable plastics.

⁵ **Commentary:** The businesses included in this list should be revised to be consistent with the types of businesses and generators covered by the ordinance.

⁶ **Commentary:** Multi-family Dwelling Units may be included at the Agency's option. See footnote # 9 for more discussion about Multi-family Dwelling Units.

⁷ **Commentary:** The definitions of Compost, Compostable Materials and Compostables only should be included if Compostable Material, such as organic material, food waste and green waste, are included in the definition of Recyclable Material. If Compostable Materials are included, the definition may need to be modified, depending upon the types of materials covered (for example, green waste, but not food waste).

Customer means a Generator that contracts for Solid Waste removal services and enters into a service agreement with a Franchised Hauler or Authorized Recycler for Recycling services. In the event a Business, non-residential property or Commercial Facility shares Solid Waste or Recycling containers and/or service, Customer refers only to the entity that arranges for the service.

Disposal means the final disposition of Solid Waste at a permitted Landfill or other permitted solid waste disposal facility, as defined in California Public Resources Code 40192

Diversification or Divert means the reduction or elimination of Solid Waste from solid waste disposal in accordance with California Public Resources Code 41024.

Food Vendor means any and all sales outlets, stores, shops, vehicles or other places of business located or operating within the jurisdictional boundaries of the Agency that operate primarily to sell or convey foods or beverages to consumers.

Franchise means a commercial solid waste collection franchise contracted for or issued by the Agency to a Hauler.

Franchised Hauler means a Hauler holding a franchise, contract, license or permit issued by the Agency which authorizes the exclusive or non-exclusive right to provide solid waste handling services within all or part of the jurisdictional boundaries of Agency.

Generator⁸ means an owner or Responsible Party for a Commercial Facility(ies) or Business, including non-residential property which generates Recyclable or Compostable Materials as a result of its Business, Commercial Facility(ies) or property activity. Generator may also include tenants, property managers for facilities with leased space, employees and contractors of Generator, *as well as a Responsible Party for Special Events*. Generator also includes the Agency, its facilities, its non-residential properties and *Special Events, its sponsors or co-sponsors*.

Hauler means any person or commercial entity which lawfully Collects, hauls, or transports Solid Waste for a fee by use of any means, including but not limited to a dumpster truck, roll-off truck, side-load, front-load, rear-load garbage truck or a trailer.

Landfill means a permitted disposal site which accepts Solid Waste.

⁸ **Commentary:** The term “Generator” is broadly defined to include business, commercial facilities, non-residential property owners, Multi-family Dwelling Units and special events. Individual agencies may modify the definition to meet the circumstances of the local agency. For example, if the ordinance will cover Multi-family Dwelling Units or Special Events these terms should be included in the definition. If not, they should be excluded. See footnote # 9 for discussion of Multi-family Dwelling Units and footnote # 28 for a discussion of Special Events.

Multi-family Dwelling Units⁹ means a residential structure having multiple residences which may be classified as residential (with individual billings for each residence) or commercial (with a single billing for each complex).

Recycle or Recycling means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become Solid Waste and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the market place as defined in Public Resources Code 40180. Recycling does not include burning, incinerating, or thermally destroying solid waste, as defined in Public Resources Code Section 40201.

Recycling Facility means a Recycling, material recovery or re-use facility that is fully licensed, certified and eligible under federal, state and local laws and regulations and includes those material recovery or reuse facilities or operations that receive, process, and transfer to market Recyclable and/or *Compostable Materials* that have been Source Separated from the Solid Waste stream. The Recycling Facility may be located at a Landfill. *Recycling Facility also means a facility that produces Compost.*

⁹ **Commentary:** Multi-family Dwelling Units may be included at the Agency's option. In determining whether to include Multi-family Dwelling Units, the Agency should evaluate its current franchise(s), permit(s), contract(s) and/or land use definitions. Some agencies include Multi-family Dwelling Units as part of the residential solid waste collection system while others include them as part of the commercial system. The Agency should also consider whether to include mobile homes in the definition of Multi-family Dwelling Units.

Note that if Multi-family Dwelling Units are included, the definition should be consistent with the existing definition in the community. For example, some communities consider multi-family units of four or less to be residential and above four units to be commercial. Others consider all Multi-family Dwelling Units to be either residential or commercial, regardless of size.

Note also that in this sample ordinance, Multi-family Dwelling Units are referenced in the definition of "Commercial Facilities". The Agency may need to revise that definition if Multi-family Dwelling Units are not included in the ordinance.

Recyclable Materials¹⁰ means materials that have been separated from the solid waste stream prior to disposal and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the market place and that are not landfilled. Recyclable Materials include any materials identified by Agency Director for which a market exists, including, but not limited to: plastic bottles and jars, paper, cardboard, glass, newspaper, metal containers, cans, *as well as Compostable materials such as green waste, yard waste or food waste.*

Responsible Party means the individual or entity responsible for the Generator's management of Solid Waste and/or Recycling at the Generator's Commercial Facility, Business, non-residential property, or *Special Event*.

Rubbish means non-putrescible Solid Waste, such as ashes, paper, cardboard, tin cans, yard waste, wood, glass, bedding, crockery, plastics, rubber-by-products and litter.

Scavenging or Scavenger means the uncontrolled and unauthorized removal of Recyclable Materials at any point in the solid waste management system.

Self Haul or Self Hauling means a Generator or Responsible Party who transports his or her own Recyclable or Compostable Materials to a Recycling Facility by using a vehicle owned by that Generator or Generator's employees or the Responsible Party rather than using the hauling services of a Franchise Hauler or Authorized Recycler.

Solid Waste means all putrescible and non-putrescible solid, semisolid, and liquid wastes, including garbage, Trash, refuse, paper, Rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semi-solid wastes. Solid Waste does not include hazardous waste or low-level radioactive waste defined in Health and Safety Code Section 25117 and 25141.

¹⁰ **Commentary:** The sample ordinance includes a list of suggested items that may be included in the definition of Recyclable Material. The Agency's identification of which materials to include in the definition should be made after reviewing existing franchises, contracts, licenses or permits, and in consultation with the Franchise Haulers and Authorized Recyclers offering recycling services to commercial generators. Review of existing recycling infrastructure can also be helpful in determining what materials to include in the definition.

In addition, the Agency should consider whether or not to include Compostables, such as green waste or food waste, in the definition of Recyclable Materials. The decision will depend upon the unique circumstances in the jurisdiction, as there are a number of factors which may impact each Agency's decision. One of the most important factors is the availability of local processing infrastructure. The decision should also consider the current franchise(s) and local collection practices.

The sample ordinance does not address construction and demolition waste. Thus, it is not included in the definition of Recyclable Materials. The Advisory Committee that assisted in the development of the sample ordinance recommended that construction and demolition waste not be included. The processing and handling of such waste is sufficiently different from other commercial waste handling and processing that many agencies have adopted a separate ordinance for construction and demolition waste.

CalRecycle provides a model construction and demolition waste ordinance and other related information at www.calrecycle.ca.gov/LGCentral/Library/CandDModel/.

Source Separated or Source Separation¹¹ means the process of removing Recyclable Materials from Solid Waste at the place of discard generation, prior to collection, into separate containers that are separately designated for Recyclables, *Compostables* or Trash for the purposes of Recycling.

Special Event¹² means a community, public, commercial, recreational or social event which may serve food or drink and which may require a permit from the Agency. Special event may include the temporary or periodic use of a public street, publicly owned site or facility, or public park and which is expected to have [insert number] or more persons in attendance.

Trash means material that is designated for Landfill Disposal by the collector and does not include either Recyclable Materials or Compostables. The term Trash does not include hazardous waste, as defined in California Health and Safety Code Sections 25117 and 25141.

SECTION 10-10-130 SOURCE SEPARATION REQUIREMENTS¹³

A. Each Generator¹⁴ shall be responsible for ensuring and demonstrating its compliance with the requirements of this ordinance. Each Generator shall:

1. Source Separate Recyclable Materials from Solid Waste; and
2. Subscribe to a basic level of Recycling service that includes at a minimum, the collection of Recyclable Materials; and
3. Enter into a written service agreement with a Franchised Hauler or Authorized Recycler; or

¹¹ **Commentary:** See footnote # 13 for discussion of additional source separation issues.

¹² **Commentary:** The Agency may decide whether to include Special Events in the ordinance. See footnote # 28 for additional discussion of Special Events.

¹³ **Commentary:** Solid waste from some communities goes to a mixed waste material recovery facility. The separation and processing of the Trash and Recyclable Materials occurs at the mixed waste material recover facility. Generally, for these communities it would not be necessarily beneficial or economical to adopt a commercial recycling ordinance that requires traditional source separation by generators. However, some communities that use a mixed waste material recovery facility system also encourage or require generators to separate out cardboard or paper to avoid contamination and increase recycling.

The sample ordinance may be modified to apply to Agencies with mixed waste material recovery facilities that wish to require additional source separation by commercial generators. This should be done in consultation with the operator of the mixed waste material recovery facility and the Franchised Haulers and Authorized Recyclers.

In addition, some communities are evaluating a “wet-dry” collection system, where one container is used for putrescibles/wet waste and one container is used for dry waste and Trash. If a wet-dry system is used by the agency, the requirements of additional source separation by generators may not be necessary for the efficient recovery of recyclables and compostables.

¹⁴ **Commentary:** The sample ordinance places the source separation requirement on the generator and the reporting requirement on the hauler. Some agencies include additional source separation requirements on generators to address local conditions related to National Pollution Discharge Elimination System stormwater permit conditions.

4. Complete and retain on-site a Self Hauling form certifying that all Self Hauling activities will be completed in accordance with this ordinance or any other applicable law or regulation. A copy of such form shall be available to the Agency Director, upon request.

B. Each Generator shall use containers to collect and store Recyclable Materials and shall designate areas to collect and/or store Recyclable Materials.¹⁵

C. Each Generator shall prominently post and maintain one or more signs in maintenance or work areas or common areas where Recyclable Materials are collected and/or stored that specify the materials to be Source Separated in addition to collection procedures for such materials.

D. Each Generator shall notify and instruct employees in writing of applicable Source Separation requirements, including outreach and training on what materials are required to be Source Separated and how to Source Separate such material. A copy of such instruction or training materials shall be provided to the Agency Director or designee upon request.

E. All Recyclable Materials shall be placed for collection in covered collection containers conforming to the following requirements. No container shall be loaded beyond its capacity. It shall be the Generator's responsibility to keep the containers used for the storage and collection of Recyclable Material generated on the premises in a clean and sanitary condition. No material or containers shall be kept or handled in such a manner as to become a nuisance. No putrescible materials shall be commingled with Recyclables. No Recyclable Material shall be allowed to become odoriferous or a producer of vermin. Lids on containers shall remain closed at all times while stored or placed for Collection. The Director is specifically authorized to promulgate rules and regulations regarding any and all Recyclable Material containers including as related to the Recyclable Materials to be placed therein, the placement and maximum weight of high-density materials for Collection and the proper use of containers.

F. Each Generator shall ensure that Recyclable Materials generated at the Generator's site will be taken only to a Recycling or *Composting Facility* or make other arrangements to ensure that the materials are Recycled or *Composted* and not delivered to a Landfill for Disposal. Generator shall not dispose of, or arrange for Disposal of Recyclable Materials by placement in a Landfill except in an emergency situation, *or when no viable markets or Recycling Facilities are available, as determined by the Agency Director.*¹⁶ Further, all Generators are encouraged to consider Recycling additional materials, whether or not they have been specifically designated by the Agency Director.

¹⁵ **Commentary:** Public Resources Code Section 42900 and following requires new development projects (including commercial developments) to have adequate areas for collection and storage of Recyclable Materials. Some local agencies encourage businesses to consult with the Franchised Hauler or Authorized Recycler in determining where to store the Recyclable Materials.

¹⁶ **Commentary:** Some existing mandatory commercial recycling ordinances include a case-by-case exemption if no viable markets for recyclable materials or no Recycling Facilities are available. These ordinances give the agency director the authority to grant the exemption and include it in the Exemptions section (Section 10-10-160). If the "no viable markets" exemption is not included in the adopted ordinance, the phrase in italics should be deleted in paragraph F above.

G. The Recycling Service Agreement and other Recycling documents shall be available for inspection by the Agency Director or designee, at the principal location of the Generator's Business, Commercial Facility, Special Event or non-residential property during normal business hours.

H. No Franchised Hauler or Authorized Recycler shall be held liable for the failure of its Customers to comply with such regulations, unless specified in the Franchise, contract or permit issued by the Agency.

SECTION 10-10-140 FRANCHISED HAULERS AND AUTHORIZED RECYCLERS

A. No person shall provide services as a Hauler of Recyclables within the boundaries of the Agency without either being: (1) a Franchised Hauler with the Agency, or (2) an Authorized Recycler.

B. Franchised Haulers and Authorized Recyclers shall offer collection service and automatic lift containers, bins or roll-off bins for Recyclable Materials sufficient to accommodate the quantity and types of Recyclable Materials to all of its Customers and shall provide Recycling Services as described in Section 10-10-150.

C. Franchised Haulers and Authorized Recyclers shall identify automatic lift containers, bins or roll off bins for Recyclable Materials with its name, recognizable corporate or company logo, and phone number of the Franchised Hauler or Authorized Recycler that is legible from a distance of fifty (50) feet.

D. Franchised Haulers and Authorized Recyclers shall equip and provide automatic lift containers, bins and roll-off bins for Recyclable Materials, with locks and/or other suitable features, where feasible, to prevent Scavenging. They shall conduct all activities in accordance with applicable laws, Agency codes and regulations and best management practices. Vehicles and equipment and containers shall be kept in a clean and well-maintained condition.

E. Franchised Haulers and Authorized Recyclers shall not take a Customer's Recyclable Materials to a Landfill or other site for Disposal. Such materials shall be taken to a Recycling Facility or Franchised Haulers and Authorized Recyclers shall make other arrangements for Recycling the materials instead of Disposal. The Franchised Haulers and Authorized Recyclers shall maintain a copy of a service agreement and/or receipts documenting that the Generator's Recyclable Materials have been properly delivered, as well as any documentation evidencing an event of force majeure which prevented the proper delivery of Recyclable Materials. Such documents shall be available for inspection by the Agency Director at the place of business during normal business hours and maintained for not less than 3 (three) years.

SECTION 10-10-150 RECYCLING SERVICES¹⁷

A. The Recycling Services provided by Franchised Haulers and Authorized Recyclers shall include, at a minimum, all of the following:

- 1.** Collection of Recyclable Materials at a minimum of two (2) times per month, or more as specified by contract, license or permit;¹⁸
- 2.** Collection of Recyclable Materials as identified by Agency Director;
- 3.** Utilization of Recycling receptacles which comply with Agency standards;
- 4.** Appropriate signage on all Recycling receptacles, containers, chutes and/or enclosures which allows users to clearly and easily identify which containers to use for Recyclables, *Compostables* or Trash and be color-coded (*blue for Recyclables, green for Compostables and black for Trash*).¹⁹
- 5. Occupant Education.**²⁰ *For Multi-family facilities, the Responsible Party shall provide information about Recycling Services as follows:*
 - (1) Types of Recyclable Materials accepted, the location of Recycling containers, and the occupant's responsibility to Recycle pursuant to this Chapter. This information shall be distributed to all occupants annually;*
 - (2) All new occupants shall be given information and instructions upon occupancy; and*
 - (3) All occupants shall be given new information and instructions upon any change in Recycling service.*

¹⁷ **Commentary:** Local agencies should review their existing franchise and/or contracts or permits to determine whether they already include specifications for recycling services provided by Franchise Haulers or Authorized Recyclers. If so, the language for Section 10-10-150 should be consistent with the existing franchise, contracts or permits.

¹⁸ **Commentary:** Some large generators use large roll-off recycling services which are collected more frequently, as needed. The language in the sample ordinance may be modified to reflect community-specific conditions.

¹⁹ **Commentary:** These colors are suggestive only. Individual agencies and haulers may have their own established color coding system.

²⁰ **Commentary:** This section should be included only if Multi-family Dwelling Units are included in the ordinance.

SECTION 10-10-160 EXEMPTIONS ²¹

A. The following shall be exempt from the requirements of this Chapter:

1. The State of California, a special district or other local public agency other than the Agency, as defined, or any employee thereof, when collecting or transporting Recyclable Materials produced by operation or system of the entities described above.
2. Municipal corporations and governmental agencies other than Agency using their own vehicles and employees engaged in the collection, transportation, or disposal of Recyclable Materials within the boundaries of the Agency.

²¹ **Commentary:** Paragraph A of Section 10-10-160 (Exemptions) and Section 10-10-170 (Self Haul) reflect the current state of the law and are recommended for inclusion in the Agency's ordinance. Paragraphs A1 and A2 in Section 10-10-160 address several California court cases which have held that generally there is immunity from local regulation (sovereign immunity) unless the immunity is specifically and expressly waived. Rules governing the relationships between state facilities and local regulations are discussed beginning with *Hall v City of Taft* (1956), where the Supreme Court held that public schools were not subject to building regulations of the municipality; *City of Santa Ana v Board of Education* (1967), where the court held that a school system was not subject to the garbage collection regulations of the city; and *Del Norte Disposal v Department of Corrections* (1994), where the California Court of Appeal held that the Pelican Bay State prison was not subject to the local franchise for solid waste disposal.

The question of whether federal facilities are exempt from local solid waste regulation has been the subject of various legal challenges. Federal law (42 USC 6961) states that "executive, legislative and judicial branches of the Federal Government having jurisdiction over any solid waste facility or disposal site, or engaging in activity resulting in the disposal or management of solid waste, shall be subject to Federal, State, interstate and local requirements...respecting control and abatement of solid waste or hazardous waste..." This appears to be an express waiver of immunity, and some cases have interpreted this section as subjecting federal facilities to local solid waste franchises. However, there have been a number of challenges to different sections of this statute in federal courts. These challenges include the clarity of the language, whether any fines are considered reasonable and use of the funds derived from any imposed penalties. Individual local agencies, in crafting their commercial recycling ordinances, should consult with agency counsel and the governing board to decide whether or not to include federal facilities in the ordinance.

However, federal facilities are subject to recent federal orders and codes that include recycling and recycled materials procurement. If the decision is made not to include them in the ordinance, the local agency may want to consider encouraging the federal facility to voluntarily participate in recycling efforts, or consider the use of tiered fees (where fees for collection of Recyclable Materials are lower than fees for collection of Solid Waste) which may serve as an incentive to encourage the federal facility to recycle.

[Options for additional exemptions]²²**B. Four Cubic Yards or Less²³**

Generator shall be exempt from the requirements in this Chapter if the Business, Commercial Facility or non- residential property generates four (4) cubic yards or less of Solid Waste per week. This exemption does not apply to Special Events unless the Generator demonstrates to the Administrator that the event will produce less than the threshold amount.

C. No Collection System

Generator may not be required to Source Separate Recyclable Materials if the Generator demonstrates to the Agency Director that there is no Collection service or other system available for such materials.

D. No Recyclable Materials

Generator may be exempt from the requirements of this Chapter the Generator demonstrates to the Agency Director that there are no Recyclable Materials being generated by any activities in the Generator's Business, Commercial Facility, or non- residential property.

E. Space and Zoning

1. Generator may be exempted from the requirements of this Chapter by the Agency Director, if it is determined, through a site visit requested by the Generator, that either:

(a) There is inadequate storage space for automatic lift containers, bins or roll off bins for Recyclable Materials on site and that it is infeasible for the Generator to share automatic lift

²² **Commentary:** The Agency may evaluate including additional exemptions beyond those required by law. Options for additional exemptions are provided in Sections B through E. The Agency may also choose to revise them. Some existing ordinances include one or more of these additional exemptions, while others do not.

²³ **Commentary:** Agencies should carefully evaluate the practical impacts of thresholds based upon service volume. If an Agency decides to adopt a threshold that determines businesses to be covered, it could adopt the proposed threshold of 4 cubic yards or less, as indicated in paragraph B. Or it could select a different threshold, such as 6, 8 or 10 cubic yards.

Note that the four cubic yard threshold includes *both* solid waste and recyclable materials combined. Based upon the experience of one agency that uses this threshold, as a Generator recycles more, he or she may fall below the four cubic yard threshold and thus be outside the requirements of the ordinance. However, the incentive to continue recycling remains since the Generator will be covered under the ordinance if the amount of solid waste increases beyond the four cubic yard threshold.

Agencies should be aware that the lower the threshold selected, the more resources may be required for education, enforcement and inspection, since more businesses will be covered by the ordinance. Some agencies phase in the number and types of businesses covered by their ordinance, based either upon quantity of waste generated, size of business or type of businesses.

containers, bins or roll off bins for Recyclable Materials with a Generator on an adjoining property, or;

(b) Compliance with this Chapter will result in a violation of zoning codes or agency regulations for minimum parking spaces.

2. If, after reviewing the site, the Agency Director determines that it is feasible for Recycling containers to be placed either on site or shared with an adjoining business or property, then the Generator will not be exempted from these requirements and will be responsible for full compliance with this Chapter.

E. No Markets for Recycled Materials²⁴

Generators may be exempted from the requirements of the Chapter when no viable markets or Recycling Facilities are available, as determined by the Agency Director.

F. Exemption Application

If the Generator seeks an exemption,²⁵ an application for such exemption shall be submitted on a form prescribed by the Agency Director. After reviewing the exemption request, and after an on site review, if applicable, the Agency Director shall either approve or disapprove the exemption request.

SECTION 10-10-170 SELF HAUL²⁶

A. Nothing in this ordinance shall preclude any person from Self Hauling Recyclable Materials generated by that person to a Recycling Facility. A Generator may transport Recyclable Materials generated at its business or property to a Recycling Facility (rather than hiring a Franchised Hauler or Authorized Recycler) only if the Generator completes its activity by utilizing a vehicle owned by either the Generator or Generator's employee. This Self Haul exemption does not include contracting for or hiring a third party to transport the Recyclable

²⁴ **Commentary:** Some existing mandatory commercial recycling ordinances include an exemption based upon lack of viable markets for recycled materials. It appears that there is little or no experience relative to use of this exemption by Generators or Agencies.

²⁵ **Commentary:** The exemption application process applies only if the Agency includes any of the optional exemptions, but not those covered in paragraphs A1 and A2 of Section 10-10-160.

²⁶ **Commentary:** Under the California Supreme Court decision *Waste Management v Palm Springs Recycling Center, Inc.*, 1994, 7 Cal 4th 478, commonly known as the "Rancho Mirage decision," the rights of an owner to sell or donate his or her own recyclable materials continue to the point where the owner discards the materials. If the materials have not yet been discarded by the owner, then the owner continues to have control and ownership of the materials. Recyclable materials which have a market value to the owner are not waste until they are discarded, because the concept of value relates to the manner in which the owner disposes of the property.

Therefore, the Generator of the recyclable materials has the right to sell, donate, and transport the materials themselves. These rights are also included in Public Resources Code Section 41952 which states, "Nothing in this chapter limits the right of any person to donate, sell or otherwise dispose of his or her recyclable materials."

Materials. A Self Hauler must retain on site a Self Hauling form certifying that all Self Hauling activities will be completed in accordance with this Chapter or any other applicable law or regulation. The Self Hauling form shall be made available to the Agency Director or designee upon request. At a minimum, the Generator shall provide the following information on the Self-Hauling form:

- 1.** The name, address and telephone number of the Generator's representative that will be signing the Self-Hauling form.
- 2.** A list of the types of Recyclable Materials that are being transported.
- 3.** For each type of Recyclable Material, the amount that is being taken from the Generator's business or property to a Recycling Facility on a quarterly basis.
- 4.** The name and address of the Recycling Facility.
- 5.** A written statement, signed by the Generator or representative, certifying that the Generator is in compliance with the requirements of this Section 10-10-170.

B. The Agency Director may restrict or prohibit Self-Hauling by a Generator if the Agency Director determines, after providing notice and an opportunity for a hearing, that the Generator's Self Hauling activities violate the provisions of this Section or any other applicable law or regulation.

C. Sale or Donation.²⁷ Nothing in this ordinance shall preclude any Generator from selling or exchanging at fair market value, for reuse or Recycling, Source Separated Recyclable Materials generated from that Business, Commercial Facility or property; or from donating to another entity for reuse or Recycling; Source Separated Recyclable Materials generated from that Business, Commercial Facility or property.

²⁷ **Commentary:** See footnote # 26 regarding the right to sell or donate.

SECTION 10-10-180 SPECIAL EVENT RECYCLING²⁸

A. For a Special Event, in addition to any other conditions the Agency requires as part of the Special Event permit, the Responsible Party shall provide Recycling receptacles throughout the event location to make Source Separation of Recyclables, Compostables, or Trash convenient for the employees, volunteers, contractors, and customers of the food vendors and attendees of the event.

B. The minimum number of Recycling receptacles shall equal or exceed the number of Solid Waste receptacles. The Solid Waste and Recycling receptacles shall be placed as close together as possible throughout the event location in order to provide equally convenient access to users.

C. All of the receptacles must have appropriate signage and be color coded to identify the type of refuse to be deposited (blue for Recyclables, green for Compostables, and black for Trash) and meet any additional design criteria established by the Agency by regulation; and

D. Food vendors must have at least one separate container each for Recyclables, Compostables and Trash for use by customers and visitors. Multiple food vendors that provide disposable food service ware and share a common eating area may share an appropriate number, size, and placement of containers for Recyclables, Compostables and Trash for convenient use by customers or visitors or have common access to such a container which shall be located within a reasonable proximity of the vendors.

E. The types of Recyclable Materials suitable for deposit into each receptacle shall include at a minimum; plastic bottles and jars, paper, cardboard, glass, newspaper, metal containers, and cans. Each Recycling receptacle shall be clearly identified as a Recycling receptacle and shall display a list of types of Recyclable Materials which may be deposited into the Recyclable receptacle.

F. The Responsible Person shall ensure that the Recyclable Materials deposited into the Recycling receptacles are delivered to a Recycling Facility. The Recycling Facility may be located at a Landfill, but Recyclable Materials shall not be delivered to a Landfill for Disposal.

²⁸ **Commentary:** Current law, enacted by AB 2176 (Public Resources Code Section 42648 and following) addresses recycling at large venues and large events. AB 2176 defines large venues as permanent facilities such as stadiums, amphitheaters, arenas and racetracks that serve an average of 2,000 or more persons a day. Large (or Special) Events are defined as those that serve more than 2,000 persons per day and charge admission, such as a sporting event or flea market.

The Special Event provision in the sample ordinance is drafted to supplement the provisions of state law regarding large events only (not permanent venues). It provides additional local regulatory authority for events that do not charge admission and with significant but lower attendance than the 2,000 threshold in state law. The section also includes certain general and basic recycling requirements for Special Events in addition to any other permit requirements Agency may choose to impose. Instead of including this section and the requirements it would trigger in the ordinance, the local agency instead may consider including Special Event recycling criteria as part of the conditions for receiving a Special Event permit.

CalRecycle provides resources and other information about AB 2176 and large venues/events at: www.calrecycle.ca.gov/Venues/.

SECTION 10-10-190 OWNERSHIP/SCAVENGING OF RECYCLABLE MATERIALS²⁹

A. All Recyclable Materials placed in automatic lift containers, bins or roll-off bins for Recyclable Materials provided by any Franchised Hauler or Authorized Recycler sufficient to accommodate the quantity and types of materials generated by businesses, or non-residential properties, shall be considered owned by and be the responsibility of either the Franchised Hauler or Authorized Recycler. Without permission of either the Franchised Hauler or Authorized Recycler, no person shall collect Recyclable Materials placed in such automatic lift containers, bins or roll-off bins by Customers or Generators.

B. All Recyclable Materials placed in Recyclable Materials containers provided or owned by the Generator, shall be considered owned by and be the responsibility of that Generator until the material is placed at a Franchised Hauler's or Authorized Recycler's designated point of collection or in containers described in paragraph A.

C. No person other than the person or Business under contract with the Generator of the Recyclable Materials to collect the Recyclable Materials, shall remove or otherwise interfere with Recyclable Materials which have been placed at a designated Recycling or Recycling Materials collection location. Except as authorized under Section 10-10-160, it shall be unlawful for any person to engage in the business of collecting, removing or transporting, or otherwise organize or direct the collection, removal or transportation of Recyclable Materials without being a Franchised Hauler or Authorized Recycler.

²⁹ **Commentary:** See Public Resources Code Section 41950 and following for local authority to regulate illegal scavenging.

SECTION 10-10-200 REPORTING³⁰

A. Franchised Haulers and Authorized Recyclers shall provide quarterly reports³¹ on the dates described below to the Agency Director identifying, at a minimum, the following information, *including Special Events*:

1. The total number of Customers or commercial accounts they have in the Agency region, the name and address of the facility serviced, and the name of the Responsible Party for Solid Waste and Recyclable Materials management;
2. The frequency of Recyclable Materials collection service provided to the Business, Commercial Facility or property;
3. The Recyclable Materials collected per week by volume in cubic yards and (tons), measured by the size of applicable containers of and removed by them within the Agency region during the previous year; and
4. The location of the Recycling Facility(ies) to which the Recyclable Materials were taken during the previous quarter.
5. Information about non-compliance by Generators.

³⁰ **Commentary:** Agencies are responsible for preparing annual reports to CalRecycle about implementation of the California Integrated Waste Management Act of 1989. These reports may already include information compiled about commercial recycling education activities and tonnages. In some communities, haulers may already be reporting to Agencies on recycling education activities and other tonnages, based upon franchise or permit requirements. Also, the ability of haulers to report tonnages may vary based upon local circumstances.

Reporting requirements may be impractical in some communities, since it appears that most generators do not have a weighing system in place for outbound materials. Further, as noted in footnote # 26, Generators have the right to sell or donate their Recyclable Materials under the *Rancho Mirage* decision. This further complicates any tonnage reporting requirements. Therefore, the sample ordinance suggests additional reporting requirements for the Haulers, in order to provide adequate tonnage information to show compliance. The Agency may wish to use the language as drafted or modify it to meet local conditions.

³¹ **Commentary:** The frequency of reporting should be determined by the local Agency. If quarterly reports are considered too frequent, semi-annual or annual reporting may be more appropriate. Some agencies started with more frequent reporting and reduced the frequency after the program became well established. Note also that Option B in Section 10-10-210 requires Haulers to notify the Agency about Generators who are not in compliance. The type of reporting requirement also may depend on the size of the jurisdiction.

6. The quarterly reporting periods shall be as follows:

Reporting Period	Due Date
January 1-March 1	May 1
April 1- June 30	August 1
July 1- September 30	November 1
October 1-December 31	February 1

B. If the quarterly report is not filed by the due dates above, the report shall be deemed delinquent, and the Franchised Hauler or Authorized Recycler shall pay to the Agency a delinquent report charge in the amount of _____. If the report remains delinquent for more than fifteen (15) days, the amount shall be increased to _____.³²

C. The Franchised Hauler's or Authorized Recycler's failure to file the reports required by this Section shall, at the option of the Agency, constitute cause for termination or suspension of its franchise or other permit status.

³² **Commentary:** The amount of penalties for the failure to provide reports is an option the local agency may consider. The Agency also may choose to change the reporting frequency, negotiate it with the local Franchised Hauler or Authorized Recycler or include it as a permit or contract condition. Some agencies with commercial recycling ordinances suggest that delinquency charges should escalate on a set cycle and should be significant enough to ensure compliance.

SECTION 10-10-210 IMPLEMENTATION AND ENFORCEMENT³³

A. Director Authority

The Director³⁴ is authorized to administer and enforce the provisions of this Chapter, beginning with Section 10-10-100 and following. The Director or anyone designated by the Director to be an enforcement officer may exercise such enforcement powers. To the extent permitted by law, the Director may inspect any collection container, collection vehicle load, or receiving facility for collected Trash, or Recyclables.

B. Administrative Appeal

Unless otherwise expressly provided by the Agency's Code, any person adversely and directly affected by any determination made or action taken by the Director pursuant to the provisions of this Chapter may file an administrative appeal. If no appeal is filed within the time prescribed and consistent with Agency's procedures in the Agency's Codes, the determination or action of the Director shall be final.

³³ **Commentary:** The sample ordinance offers three Enforcement options that can be phased in over a period of one to three years.

Many existing ordinances include a broad range of enforcement techniques. They range from warning notices to civil injunctions to financial penalties or criminal prosecution. Administrative enforcement through hearing officers is also an option, if such a process already in place.

The Agency should review its own current regulatory scheme so the enforcement approach included in the ordinance is compatible with other solid waste regulations or existing systems. Also, the local resources available to the Agency for enforcement should be considered, since some enforcement approaches may be more resource intensive than others.

In addition, enforcement provisions and requirements selected may be different for those agencies with exclusive franchises versus those with non-exclusive (so-called "open competition") systems. For example, it may be more difficult to have meaningful reporting with an open competition system where multiple haulers operate through a permit or license.

Another enforcement strategy to evaluate can be restricting renewal of a business license or permit or charging penalties through the business license or permit. This action would apply to Generators that do not comply with the ordinance, including failure to meet recycling requirements and engaging in illegal Self-Hauling practices.

³⁴ **Commentary:** Some agencies also authorize peace officers and code enforcement officials to enforce mandatory commercial recycling ordinances.

Option A ³⁵ - Education [only]

Education as the sole enforcement mechanism or in combination with other enforcement mechanisms.

Option B ³⁶ - Incremental Notification and Enforcement

- 1. If the Franchise Hauler or Authorized Recycler first finds incorrect materials in a Collection container, they shall notify the Generator by written notice attached to the Recycling container and shall provide a copy of the notice to the Agency Director.*
- 2. If the Franchise Hauler or Authorized Recycler finds incorrect materials in a collection container a second time, they shall notify the Generator by a written "Second Notice" attached to the Recycling container and shall provide a copy of this Second Notice to the Agency Director for possible follow up and enforcement.*
- 3. After the Franchised Hauler or Authorized Recycler has already left two or more tags for that Customer and that type of container, the Franchise Hauler or Authorized Recycler may refuse to empty the container if contamination occurs a third time, subject to California Code of Regulations Title 14, Section 17331, or as determined by the Agency Director. If the container is not emptied, the Franchised Hauler or Authorized Recycler must leave a tag and send a written notice to the Generator, identifying the incorrect materials and describing what action must be taken for the materials to be collected; provided, however, that a Franchise Hauler or Authorized Recycler may not refuse on this basis to empty containers from Multifamily or Commercial properties with multiple tenants and joint account collection service due to*

³⁵ **Commentary:** Education is a critical component of program success. An education-only option may be appropriate for the initial phase-in period and should continue to be a key element of the program regardless of subsequent the enforcement mechanism selected. Education can be combined with the other enforcement options and is especially important for new businesses and large generators. Once the ordinance is established after the phase-in period, education alone generally is not considered to be the same as an enforcement mechanism.

³⁶ **Commentary:** Option B is suggested as an administrative penalty process in which the Hauler is the default agent to notify the Generator of a violation. Some agencies may prefer to use agency staff instead as the primary enforcing agent. Others may prefer a joint enforcement arrangement. The amount of the maximum administrative penalties (per day and per calendar year) included in Option C is an alternative for the Agency to consider.

Some systems use a financial incentive to encourage Generators to properly separate Recyclable Materials from Solid Waste and discourage actions that increase contamination. For example, if the Recyclable Materials container is contaminated with Trash or Rubbish, a Generator may be charged a higher rate for Solid Waste Collection, rather than a lower rate for Recyclable Materials Collection

Some jurisdictions work closely with the Haulers so that the Haulers notify the Agency about non-compliance and the Agency follows up with education and possible subsequent enforcement mechanisms. The effectiveness of enforcement by Haulers may vary depending upon whether the local solid waste system is one of open competition or exclusive franchise. In an open competition system, some Haulers may be concerned about the competitive implications related to haulers who comply with the enforcement/reporting requirements versus those who do not. Each Agency should design an enforcement structure that fits its unique needs, resources and regulatory system.

excessive contamination, but may manage contaminated loads as solid waste and charge the Generators accordingly.

4. The Franchised Hauler or Authorized Recycler shall, in addition to the above, upon request, provide to the Agency Director a list of the names and addresses of those Customers or Responsible Parties who have received tags or notices or whose containers have not been emptied due to non-compliance with this Chapter, or copies of the tags or notices. The Franchised Hauler or Authorized Recycler shall also provide to the Agency Director, upon request, a list of the names, addresses, and service levels of the Customers and any additional information required by the Agency Director.

Option C³⁷ - Citations and Fines

1. Administrative Citations

The Director may issue administrative citations for violations of this Chapter or of any rule or regulation adopted pursuant to this Chapter, except as otherwise provided in this Chapter. Agency's procedures on imposition of administrative fines are hereby incorporated in its entirety and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this Chapter and any rule or regulation adopted pursuant to this Chapter; provided, however, that the Director may adopt regulations providing for lesser penalty amounts.

2. Notices of Violations

A Notice of Violation shall be issued and served upon the Generator, Franchised Hauler or Authorized Recycler for any violations of this Chapter. Upon curing a violation, the Generator or Responsible Party may request special service of the containers at an additional expense, or may opt to wait until their next scheduled service day for the container to be serviced.

3. Remedies and Penalties

For the ____³⁸ and any subsequent violations, public nuisance proceedings and/or code enforcement proceedings under the Agency's Code shall apply, in addition to the administrative penalties approved by resolution of the Agency Board, as modified from time to time. The Agency Director has the authority to impose administrative penalties for the Notices of Violations. The amount of the administrative penalty shall not be more than ____ for each day of each violation, provided that in no event shall administrative penalties assessed under this subsection exceed _____ during any calendar year period.

³⁷ **Commentary:** Option C could include injunctive remedies, code enforcement or nuisance actions as the strongest enforcement option for the Agency.

³⁸ **Commentary:** Insert number selected by Agency, such as third, fourth or fifth violation.

4. Additional Remedies

The Director may seek injunctive relief or civil penalties in the Superior Court in addition to the above remedies and penalties.

5. Optional additional provision

All administrative civil penalties collected from actions brought pursuant to this Chapter shall be paid to the Agency Director and shall be deposited into a special account (or Solid Waste account) that is available to fund activities to implement the applicable provisions of this Chapter.

SECTION 10-10-220 OTHER ACTIONS AND REMEDIES

A. No other powers affected

This Chapter (Section 10-10-100 and following) does not do any of the following:

1. Otherwise affect the authority of the Agency Director, or designee to take any other action authorized by any other provision of law.
2. Restrict the power of a city attorney, district attorney, or the Attorney General to bring in the name of the people of California, any criminal proceeding otherwise authorized by law.
3. Prevent the Agency Director or designee from cooperating with, or participating in, a proceeding specified in 10-10-210 B above.
4. Affect in any way existing contractual arrangements including franchises permits or licenses previously granted or entered into between the Franchised Hauler or Authorized Recycler and Agency.³⁹

B. Cumulative Remedies

Any remedy provided under this article is cumulative to any other remedy provided in equity or at law. Nothing in this article shall be deemed to limit the right of the Agency or its authorized collection agent(s) to bring a civil action; nor shall a conviction for such violation exempt any person from a civil action brought by the Agency or its authorized collection agent(s). The fees and penalties imposed under this article shall constitute a civil debt and liability owing to the Agency from the persons, firms or corporations using or chargeable for such services and shall be collectible in the manner provided by law.

³⁹ **Commentary:** Paragraph 4 acknowledges existing contractual arrangements. Each Agency should evaluate its own franchises, contracts, licenses and permits to determine if they should be amended to implement the ordinance. Opportunities for language change to franchises, contracts, licenses or permits may be available at the time of their renewal or extension.

C. Liability

Nothing in this article shall be deemed to impose any liability upon the Agency or upon any of its officers or employees including without limitation under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

SECTION 10-10-230 FORMS, REGULATIONS AND GUIDELINES

A. After public notice and a public hearing, the Director may adopt necessary forms, rules, regulations, and guidelines which may be necessary or desirable to aid in the administration or enforcement of the provisions of this article, including all necessary policies and procedures for the issuance of the permits, administration of this article, collection of fees and bonds and/or indemnities, or proof(s) of insurance.

B. The Agency shall provide information on its website regarding what materials are accepted as Recyclables, Compostables, and Trash under this Chapter.⁴⁰

SECTION 10-10-240 DISCLAIMER OF LIABILITY

A. The degree of protection required by this Chapter is considered to be reasonable for regulatory purposes. The standards set forth in this Chapter are minimal standards and do not imply that compliance will ensure safe handling of Recyclables, *Compostables* or Trash. This Chapter shall not create liability on the part of the Agency, or any of its officers or employees for any damages that result from reliance on this Chapter or any administrative decision lawfully made in accordance with this Chapter. All persons handling discarded materials within the boundaries of the Agency should be and are advised to conduct their own inquiry as to the handling of such materials. In undertaking the implementation of this Chapter, the Agency is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officer and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SECTION 10-10-250 DUTIES ARE DISCRETIONARY

A. Subject to the limitations of due process and applicable requirements of State or federal laws, and notwithstanding any other provisions of this Code, whenever the words “shall” or “must” are used in establishing a responsibility or duty of the Agency, its elected or appointed officers, employees or agents, it is the legislative intent that such words establish a discretionary responsibility or duty requiring the exercise of judgment and discretion.

SECTION 10-10-260 SEVERABILITY

A. If any section, sentence, clause or phrase of this article is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this article. Agency hereby declares that it would have passed this ordinance and adopted this article and each section, sentence, clause or phrase

⁴⁰ **Commentary:** This provision is applicable if the Agency has a website.

thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.



INSTITUTE FOR
LOCAL GOVERNMENT

Promoting Good Government at the Local Level

SUSTAINABILITY/CLIMATE CHANGE

Leadership Stories on Commercial Recycling



Commercial Recycling – 17 Leadership Stories

These stories were compiled between May 2009 and May 2011 in partnership with the California Integrated Waste Management Board (now known as CalRecycle). Additional climate change information is available at www.ca-ilg.org/climatechange.

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Stories about Local Commercial Recycling Programs



1) City and County of Sacramento - Commercial Recycling Program to Address Climate Change

Community: City of Sacramento and County of Sacramento
Population: 1.4 million

Summary

The Sacramento Regional Solid Waste Authority, under a joint powers agreement between the City of Sacramento and Sacramento County, has a business recycling ordinance that requires non-exclusive franchised haulers to provide – and businesses to subscribe to – recycling services.

Program Highlights

- Haulers must provide recycling services to all commercial customers subscribing to four-cubic yards or more of waste collection services per week.
- Businesses required to subscribe to recycling services and to establish onsite recycling procedures and signage for employees.
- Haulers must report quarterly on recycling tonnages and ultimate disposition of collected recyclables.
- The regional authority undertakes heavy education and monitoring of businesses to ensure their compliance.

Lessons Learned

- Work closely with businesses to help them understand the importance of recycling and to help them establish onsite recycling at their place of business.
- When undertaking a recycling program geared toward a large number of businesses, start educating the largest businesses first to capture the maximum amount of recyclables earlier in the program.

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Programs that require all businesses to establish onsite recycling greatly enhances the amount of recyclables kept out of landfills, thus reducing the potential for greenhouse gases emitted from landfills.

Resources to Learn More

- [Sacramento Regional Solid Waste Authority Commercial Recycling](#)

- [Sacramento Regional Solid Waste Authority Commercial Recycling Ordinance](#)

The Rest of the Story...

The Sacramento Regional Solid Waste Authority (SWA) regulates commercial waste collection services through a joint powers agreement between the City of Sacramento and Sacramento County for businesses within these two jurisdictions. In May of 2007, the SWA adopted a commercial recycling ordinance to greatly expand the amount of recyclables collected from area businesses. The neighboring cities of Rancho Cordova and Citrus Heights have adopted similar ordinances to contribute to a region-wide effort to divert waste from landfills.

Recycling Service Requirements

Haulers must be franchised to operate within the SWA and must provide recycling services to any business that subscribes to four cubic yards or greater of waste collection service per week. In turn, businesses are required to contract for recycling services. Any business, including stand-alone stores, restaurants, manufacturers, building owners or office building tenants must separate recyclables in the workplace or be subject to enforcement action by the SWA.

Enforcement and Compliance

To improve compliance, the SWA's ordinance requires that businesses establish onsite recycling procedures that include education and signage for employees and tenants. Haulers are not held liable for lack of compliance by businesses, but businesses and haulers both are subject to a stiff \$1,000 per day fine for failure to comply with their respective responsibilities under the ordinance.

Haulers are required to provide automatic lift containers, bins and roll off bins with locks for recyclables to guard against scavenging. On a quarterly basis, haulers must report their number of commercial customers, tonnage of recyclables collected and the location of the recycling facility where delivered for recycling.

Education Is Key

The SWA recognized the importance of educating businesses on how to establish workplace separation of recyclables for collection by the hauler or independent recycler. To this end, it has prepared extensive educational materials for businesses to educate owners and their employees. These materials include a handbook on recycling for businesses, sample signage for use in the workplace and on recycling containers, tips on how to avoid excess waste, and information on how to communicate workplace recycling requirements to employees.



2) County of San Diego - Commercial Recycling Program to Address Climate Change

Community: County of San Diego

Population: 3.1 million

Summary

Unincorporated San Diego County's mandatory recycling ordinance states "Mandatory recycling shall be in effect for all waste generated in unincorporated San Diego County." It requires designated recyclables to be stored separately from refuse, requires the non-exclusive franchised waste haulers operating in the county to provide recycling services to businesses, and prohibits haulers from delivering for disposal any recyclable materials mixed with non-recyclable trash.

The ordinance includes special provisions for office buildings over 20,000 square feet and the hospitality industry. County staff work with multi-family and hospitality businesses to assist them establish on-site recycling systems which increases ability of the hauler to collect more recyclables.

Program Highlights

- Recycling is mandatory in the unincorporated area of San Diego County, with special provisions for commercial buildings over 20,000 square feet and the hospitality industry (i.e., hotels and restaurants).
- County staff assist multi-family complexes and hospitality businesses to improve on-site recycling systems.
- Non-exclusive franchise hauler agreements with the county require haulers to comply with the county's mandatory recycling ordinance.
- Twenty-nine franchised haulers establish their own rates and level of service; businesses may obtain waste and recycling services from hauler of their choice.

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Providing waste audits and technical assistance to businesses, including apartments and hotels/restaurants, can enhance compliance with mandatory recycling programs.

Lessons Learned

- Unless recycling is mandatory, businesses are unlikely to recycle in large quantities.
- Actively promoting recycling directly to tenants and businesses increases the likelihood of recycling.

Resources to Learn More

- [San Diego County Commercial Recycling Website](#)
- [San Diego County Commercial Recycling Ordinance](#)

The Rest of the Story...

In 1996, San Diego County adopted a mandatory recycling ordinance that applies to all waste generated in the county, regardless of whether the generator is a residential or business entity. It includes special provisions that require businesses over 20,000 square feet in size to recycle white paper and corrugated cardboard and provisions that require restaurants and taverns and hotels/motels with eating/drinking establishments to recycle glass jars and bottles, white goods, tin and bi-metal cans, plastic beverage bottles, aluminum and corrugated cardboard. In fall 2009, the county will begin reviewing and updating the existing ordinance.

Education the Key to Recycling in Multi-Family Complexes and Hospitality Industry

Over 50,000 people live in the over 35,000 separate apartments in over 700 multi-family complexes (apartment buildings and condominium complexes) in San Diego County.

Beginning in 2001, the county began educating property owners and tenants of multi-family residential complexes to assist them in establishing on-site recycling systems to make it easier for haulers to collect recyclable materials. In coordination with local haulers, the county established block captains at the complexes, offered free recycling bins for indoor and outdoor locations, and heavily promoted recycling to tenants with seminars and door-to-door literature. The efforts paid off with a significant increase in recycling at multi-family complexes, many of which reached a 50 percent recycling rate.

The county also offers waste audits and assistance to the hospitality industry. The audits also cover safety of recycling facilities, cleanliness of trucks and bins, and overall availability of recycling service. Businesses that achieve a high level of recycling receive an award.

Graduated Enforcement Promotes Compliance

San Diego County uses a graduated approach to enforcement to encourage compliance by businesses. For example, if a business is not complying with the recycling requirement, county officials visit the business and provide assistance to improve the recycling rate. However, if the business is unresponsive, the county sends a warning letter, followed by a fine that can increase over time. Because of its strong emphasis on proactive education and assistance, the county has rarely imposed fines.



3) City of Arcadia - Commercial Recycling Program to Address Climate Change

Community: City of Arcadia (Los Angeles County)

Population: 56,500

Summary

Arcadia requires its four franchised haulers to ensure that both business and residential customers recycle 50 percent of solid waste generated.

Program Highlights

- Haulers must provide recycling bins and services to both residential and commercial customers.
- Haulers must report monthly tonnages, receivables and diversion rate.
- Haulers are responsible for educating businesses about recycling.

Lessons Learned

- Understanding how to best work with ethnic business owners to promote recycling is an important key to success.

Resources to Learn More

- [Arcadia Ordinances Related to Commercial Waste Hauling](#)

The Rest of the Story...

Arcadia has a long standing ordinance requiring the city's four permitted solid waste haulers to provide recycling bins and services to both residential and commercial customers. The haulers are required to have a business license in Arcadia. Within 90 days of receiving the business license, the haulers must submit to the city a strategy plan for meeting and exceeding the city's 50 percent diversion goal. Arcadia's ordinance limits the number of haulers that may operate in the city.

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

While the city's residential sector has achieved a 70 percent diversion rate, the diversion rate for the city's 4,132 businesses has been just above 50 percent, but still within the target set for haulers by the city's ordinance.

Compliance

Once haulers are authorized to collect waste from commercial generators, they must submit monthly reports detailing the total tonnage of solid waste disposed, the total number of accounts served, and the total gross receipts for the month. In addition, each hauler must calculate its annual diversion rate. City staff monitors the monthly reports and diversion rates to ensure compliance by the haulers.

The city's ordinance requires the haulers to provide recycling services, furnish recycling bins and work with businesses to ensure the business recycles. The rates charged for collection services are determined by the haulers. Businesses select which hauler to use, thereby creating competition between haulers for business accounts.

Business are typically provide two three-yard bins, one for general waste and one for recyclables, which are taken to a Material Recovery Facility. The program does not include food or green waste.



4) City of Chula Vista - Commercial Recycling Program to Address Climate Change

Community: City of Chula Vista (San Diego County)

Population: 230,000

Summary

Since 1990, Chula Vista has required that all waste generators recycle, including all commercial and industrial businesses. A tiered rate structure provides a financial incentive to businesses to recycle and the city emphasizes education and assistance to encourage compliance.

Program Highlights

- All businesses, regardless of size, must recycle.
- Tiered rate structure encourages compliance.
- City emphasizes education and technical assistance to encourage businesses to recycle.
- City's exclusive franchise hauler assists with education and compliance as part of its franchise agreement with the city.

Lessons Learned

- Merely having an ordinance mandating commercial recycling will not be effective unless it is complemented by a robust education and technical assistance program for businesses.
- Offer businesses a clear path to compliance, with achievable targets, face to face support, and you will see behavior change.
- Include working with generators to encourage recycling part of the franchise agreement or permit condition for waste and recycling service providers.

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Chula Vista's active education and technical assistance program to promote business compliance complements the city's mandatory recycling ordinance, thus making it easier for businesses to comply.

Resources to Learn More

- [City of Chula Vista Clean Business Program](#)

- [City of Chula Vista Environmental Services \(including recycling\) Information](#)
- [Chula Vista recycling ordinance – Municipal Code, Title 8, Chapter 8.25](#)

The Rest of the Story ...

Landfill fees stimulates mandatory recycling requirement

Chula Vista adopted mandatory recycling by all residents in 1990 as a way of saving ratepayers money. The county, which owned the landfill at the time, adopted a tipping fee structure that charged higher disposal fees to waste from jurisdictions that did not adopt mandatory recycling. The mandatory recycling requirement applies to everyone in Chula Vista, with no exemptions. The city also recognized that mandatory recycling would assist it in meeting the AB 939 goals, just recently adopted by the State. In 1997, when the county sold the landfill to a private company, Chula Vista retained the mandatory recycling requirement.

Education is the key to enforcement and compliance

The city places heavy emphasis and staff resources on educating businesses and providing technical assistance, including audits, to promote compliance. While notices of violation may be issued, the city relies on education and personal assistance, and not penalties for businesses needing prompting to comply. City staff consider themselves advocates for businesses by assisting them and explaining how they will save money by recycling more and disposing less.

The city's exclusive franchise hauler also assists in promoting compliance by working with new businesses to explain the recycling requirements, options for compliance, and the financial benefits of recycling (i.e., lower rates compared to trash disposal). The hauler's staff also may alert city staff to businesses that refuse to recycle and could benefit from education or assistance.

Although virtually all commercial and industrial accounts in Chula Vista have recycling bins or carts, achieving a 100 percent compliance rate is difficult.

Reporting

Chula Vista's exclusive franchised hauler must provide monthly reports on waste and recyclable tonnages collected. Businesses that utilize a third party recycler to whom they give or sell recyclables must provide annual reports to the city.

Read the Chula Vista story at [Land Use & Community Design](#).



5) City of Fresno - Commercial Recycling Program to Address Climate Change

Community: City of Fresno (Fresno County)

Population: 490,000

Summary

Fresno's mandatory commercial recycling ordinance requires all retail, office and multi-family businesses to utilize the city's recycling services.

Program Highlights

- All businesses are required to use the solid waste and recycling services provided directly by the city.
- Tiered pricing, which makes recycling less expensive, is an incentive for businesses to recycle.
- City actively educates businesses about recycling service and importance.

Lessons Learned

- Businesses recycle more if the program is mandatory, as opposed to voluntary.
- A tiered rate structure with lower costs for recycling services significantly increases recycling by businesses.

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Mandatory recycling, combined with tiered rate structure, results in increased recycling by the commercial sector, thus reducing potential greenhouse gas emissions from landfills.

Resources to Learn More

- [Fresno Mandatory Recycling Ordinance](#)
- [Zero Waste Action Plan](#)

The Rest of the Story...

Although Fresno offered voluntary recycling services to commercial customers in 2000, most were not taking advantage of the opportunity to recycle. Thus, the city re-evaluated its commercial recycling program.

Mandatory Program Increased Recycling

The goal of Fresno's new commercial recycling ordinance adopted in 2005 was to increase the city's overall diversion rate by increasing the amount of recycling by the 6,000 businesses (including multi-family complexes) in the city. When commercial recycling became mandatory, the citywide recycling rate increased dramatically.

Prior to enacting the mandatory commercial ordinance, Fresno's citywide diversion rate for residential and commercial users was 32 percent; after the mandatory commercial recycling ordinance was adopted, the diversion rate climbed to 62 percent. City officials attribute the increase in the diversion rate largely to the increase in recycling in the commercial sector, which includes retail, office, and multi-family generators.

City's Tiered Commercial Rate Structure

Fresno provides trash, green waste and recycling services itself and actively educates businesses about recycling opportunities and potential cost savings. Different container sizes are available for commercial recycling, and business may have daily pickup if desired. The city has a two-tiered rate for disposal and recyclable pickup. As of July 2008, the cost of a 4-cubic yard container for weekly solid waste pick up is \$1,258, while the cost of the equivalent size container and service for recycling is \$344 per week. The price differential is considered the biggest incentive for businesses to recycle.



6) City of Huntington Beach - Commercial Recycling Program to Address Climate Change

Community: City of Huntington Beach (Orange County)
Population: 202,000

Summary

Huntington Beach promotes commercial recycling through a material recovery facility (MRF) operated by its exclusive solid waste hauler. The hauler also provides city businesses free recycling bins for cardboard and paper, thus increasing recycling and reducing waste collection costs for generators.

Program Highlights

- Businesses put all waste in single bin for collection and delivery to a MRF, where recyclables are sorted from waste.
- Businesses can reduce monthly waste collection charges by source separating cardboard and paper, using the free bins provided by hauler.

Lessons Learned

- Providing free bins to encourage source separation of cardboard and paper can increase recycling rates at MRF and reduce costs to generators.

Resources to Learn More

- [Huntington Beach Recycling](#)
- [Huntington Beach Solid Waste Ordinance](#)

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Solid waste and recycling infrastructure that incorporates material recovery facilities and source separation promote recycling and reduce solid waste in landfills, thus reducing potential greenhouse gas emissions.

The Rest of the Story...

Huntington Beach has worked with the same exclusive franchisee for over 50 years. The company provides both residential and commercial services and collects recyclables from both residences and businesses. Starting in 2007, residential customers received three bins for separation of green waste and recyclables, as well as trash, and the materials are brought to a material recovery facility.

The city and hauler determined that a three-bin system would not be effective for the large commercial and multi-family sector. Instead, a different MRF handles the single stream of waste and recyclables generated by businesses and the multi-family sector.

Free Bins for Paper and Cardboard for Commercial Customers

The hauler has recently introduced free bins for businesses to separate paper and cardboard. By taking advantage of these bins, businesses can reduce their weekly or volume rate of service and thus their costs. The amount of recycling at the MRF also increases.



7) City of Irvine - Commercial Recycling Program to Address Climate Change

Community: City of Irvine (Orange County)

Population: 209,000

Summary

Irvine encourages commercial recycling by charging haulers a reduced franchise fee for recyclable materials collected from businesses, compared to the franchise fee charged for solid waste collected.

Program Highlights

- Twenty-three haulers with non-exclusive franchises cover two of Irvine's largest commercial centers.
- Tiered franchise fee system encourages haulers to promote recycling by business customers.
- City conducts onsite waste audits of largest waste generators.

Lessons Learned

- Be sure businesses are aware that recycling services are available from haulers.
- Commercial recycling can be increased by actively educating businesses about the availability of recycling services.

Resources to Learn More

- [Irvine Recycling](#)
- [Irvine Public Works Department](#)

The Rest of the Story...

Irvine has promoted commercial recycling through an incentive fee structure in its hauler agreements since 1999. The city has non-exclusive franchise agreements with 23 haulers

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

A tiered franchise fee structure encourages haulers to actively promote commercial recycling, thus increasing recycling and reducing waste going to landfill.

for solid waste collection in its two largest commercial centers, where the majority of the city's commercial waste generators are located.

Tiered Franchise Fees Encourage More Recycling

In 2007, the city amended the hauler franchise agreements to increase recycling. Haulers must offer recycling services to both new and old businesses regardless of business size and type.

The new franchise agreements with haulers encourage recycling by charging:

- a 10 percent fee on gross receipts from collection of waste sent to landfills,
- a four percent fee for materials delivered to material recovery facility, and
- no fee for materials sent directly to end-use recyclers, such as metal recyclers, paper processors, and composting facilities.

Rates charged to customers for solid waste and recycling services are set by the individual haulers.

Enforcement and Monitoring

Haulers must provide quarterly tonnage and franchise fee reports to verify compliance with city's franchise agreements. County landfill reports are also monitored. Waste stream audits of business are a further indication of the effectiveness of the recycling program. Over the last four years, Irvine has conducted onsite waste audits of its largest waste generators. Audits of smaller waste generators are provided on request.



8) City of Kingsburg - Commercial Recycling Program to Address Climate Change

Community: City of Kingsburg (Fresno County)

Population: 11,250

Summary

Kingsburg's solid waste ordinance requires uniform recycling services for both residences and businesses and also requires that curbside recycling be provided and used by all customers.

Program Highlights

- Exclusive franchise agreement requires recycling and green waste bins to be provided to all businesses, residences, and multi-family complexes.
- Businesses can reduce waste collection costs by increased use of recycling bins, resulting in the need for smaller waste containers.
- Indoor and outdoor recycling bins provided to multi-family units.
- Hauler required to submit monthly reports on waste and recycling tonnages.

Lessons Learned

- It's important to put a lot of effort into educating businesses about recycling before launching a program.
- The more convenient you make recycling, the more recycling happens.

Resources to Learn More

- City Ordinance (on [city website](#), on left under city departments, see city clerk, municipal code – Ch.18.12.030)
- [Kingsburg Recycling RFP](#)

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Providing on-site recycling infrastructure, such as bins for multi-family complexes and green waste makes it easier for residents and businesses to recycle, thus reducing material sent to landfills and the potential generation of methane, a greenhouse gas.

The Rest of the Story...

Kingsburg's interest in recycling pre-dates AB 939, enacted in 1989. As early as the 1980s, local girl scouts picked up bags of newspaper left by the curb for recycling. The city first adopted a mandatory recycling ordinance in 1993. Since that time, recycling services have been uniformly required for all residences and businesses.

Although Kingsburg is a small city, it has approximately 100 businesses, including several large chain retailers that generate substantial waste. An active education and waste audit program, along with strict monitoring of its exclusive hauler, has resulted in a nearly 70 percent citywide diversion rate.

Special Encouragement for Multi-Family Complexes

Two large multi-family complexes are located in Kingsburg. To make recycling convenient and accessible, renters are given five- and 10-gallon bins to source separate recyclables inside their apartments. The complexes may contract for 48- or 96-gallon recycling bins that are placed throughout the complexes for easy accessibility by tenants. These take the place of large roll-off recycling bins that are otherwise located at a few locations in the complex.

Enforcement and Compliance

Businesses in Kingsburg are required to separate recyclables and green waste into separate recycling and green waste bins. To encourage active recycling, the city offers smaller waste disposal bins at lower prices, made possible with greater use of recycling containers. Businesses can use either 48-gallon or 96-gallon recycling containers or larger recycling dumpsters, depending on their needs.

Any new business is informed of the city's recycling requirement at the time the waste collection account is opened. Waste audits are conducted when either the hauler or someone from the city notices a business could improve its recycling rate or when a business requests an audit.

The hauler must submit monthly reports on waste and recycling tonnage to verify the level of recycling taking place. In addition, the city inspects the hauler's facilities every six months to review the quantities of and procedures for recycling materials.



9) City of Loomis - Commercial Recycling Program to Address Climate Change

Community: City of Loomis (Placer County)

Population: 6,625

Summary

Loomis facilitates commercial recycling through an exclusive franchise agreement that requires the hauler to provide collection bins for cardboard recycling on request to local businesses at no charge. All other waste and recyclables are collected in single stream system and sent to material recovery facility (MRF) for processing.

Program Highlights

- Hauler required to provide businesses with free bins for onsite cardboard collection, which facilitates additional recycling.
- Remaining waste and recyclables sent to a MRF for separation and processing.
- Tiered fee structure stimulates recycling.

Lessons Learned

- Targeting recycling opportunities to individual business types can be effective.

Resources to Learn More

- [City of Loomis Public Works Department](#)
- [Auburn Placer Disposal Service](#)

The Rest of the Story...

Loomis has had an exclusive franchise agreement for waste collection for the past 30 years. All waste from both residences and businesses in Loomis is collected into a single stream system and sent to a material recovery facility (MRF) where the recyclables are separated, with the remaining waste sent to a landfill.

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Small programs like this one that provides an incentive for additional cardboard recycling contributes to reducing greenhouse emissions.

About 10 years ago, the hauler suggested to the city that separate collection bins for cardboard, the largest single item generated by businesses, could encourage and facilitate additional cardboard recycling. The franchise agreement between the city and hauler now specifies that free bins for cardboard recycling must be provided to businesses at their request.

Tiered Fee Structure Promotes Recycling

Businesses that request a free cardboard collection container can save substantially on their waste bill. This is especially true for businesses like grocery stores and fast food restaurants that often generate more cardboard than any other waste.

For example, the cost for a three-yard general waste bin is \$208 per month, with weekly pickup. If the customer instead uses a one-yard waste bin, the monthly cost is \$82, with weekly pickup. For many local businesses this reduction is possible by source separating cardboard and using the free bins provided.

Of the 211 businesses in Loomis, 49 have taken advantage of the free cardboard recycling bins. These businesses, mostly grocery stores and restaurants, collectively generated 158 tons of cardboard waste for recycling in 2008.

Other Opportunities for Smaller Businesses

Businesses and residents also may drop-off cardboard and newspapers at a local grocery store. For small businesses that do not generate enough waste to make it feasible to use a smaller waste bin in tandem with a cardboard bin, this centralized service has proven effective. Significant amounts of cardboard and newspaper are being dropped off at the centralized collection site.



10) City of Ojai - Commercial Recycling Program to Address Climate Change

Community: City of Ojai (Ventura County)

Population: 8,150

Summary

Ojai facilitates commercial recycling in a downtown redevelopment area through an assessment district that provides common area recycling services and storage bins for businesses that would otherwise lack convenient access to recycling opportunities.

Program Highlights

- Three-block redevelopment area includes joint assessment district for maintenance, waste and recycling services.
- Assessment district provides common area waste and recycling bins for ease of access by businesses.
- City's exclusive franchise waste hauler offers tiered fee structure to encourage recycling.
- Hauler actively works with tenants to encourage recycling.

Lessons Learned

- It's tough to increase the rate of commercial recycling when businesses in downtown buildings don't have convenient access to recycling facilities; innovative solutions can help increase recycling.

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Innovative solutions to recycling constraints assist businesses reduce the amount of waste going to landfills and the potential for greenhouse gas emissions.

Resources to Learn More

- City of Ojai [Solid Waste and Recycling Information](#)
- [Arcade Plaza Redevelopment Project](#)

The Rest of the Story...

Ojai encourages commercial recycling through a tiered solid waste and recycling fee structure used by its exclusive franchised hauler. Unfortunately, the tiered fee structure was not sufficient to motivate businesses located in downtown buildings that lacked physical access to nearby recycling facilities. Additionally, most businesses were not willing to store recyclables onsite and transport to recycling facilities that were a considerable distance from their business.

New Approach to Make Recycling More Convenient

With the redevelopment of more than two dozen properties in the three-block downtown redevelopment area, Ojai officials seized the opportunity to address the concerns of businesses that lacked convenient recycling opportunities. The redevelopment and seismic upgrade of the city-owned Arcade building and the adjacent privately owned properties provided the opportunity to design joint enclosures for waste and recycling bins. The result was an enclosed common waste and recycling area. The facilities were funded by the Redevelopment Agency in consultation with local businesses. The Assessment District funds the on-going maintenance (including recycling and trash services) of the area.

Hauler and City Actively Promote Recycling

The city and hauler actively promote recycling through tiered waste fees, visits to businesses, and regular reporting by the hauler. The city hopes that the new joint facilities and services in a significant portion of its downtown will motivate more businesses to increase recycling rates.



11) City of Poway - Commercial Recycling Program to Address Climate Change

Community: City of Poway (San Diego County)

Population: 51,100

Summary

Poway's solid waste ordinance requires that commercial recycling services be provided by its exclusive solid waste franchisee. A tiered fee structure provides financial incentives to businesses to recycle rather than dispose waste.

Program Highlights

- City ordinance requires that weekly waste and recycling services be provided to businesses.
- A significant price differential between solid waste and recycling services acts as an incentive for businesses to recycle.
- City and hauler work to educate businesses about the importance of recycling.

Lessons Learned

- A higher cost differential between waste disposal and recycling services will encourage increased recycling by businesses.

Resources to Learn More

- [Poway Commercial Recycling](#)
- [Poway Waste Code](#)

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

A price differential between waste disposal and recycling services is an incentive to businesses to increase their rate of recycling, thus reducing waste material sent to the landfill and potential greenhouse gas emissions.

The Rest of the Story...

Commercial recycling has been available in Poway since 1995, but was not mandatory until a few years later when the city adopted an ordinance requiring its exclusive franchised solid waste hauler to provide recycling services to businesses. The ordinance requires businesses to use the recycling services.

Poway recently restructured its utility fees, which has resulted in a considerably steeper price differential between waste and recycling services. Because the fees are tiered according to volume of waste disposal, businesses have a financial incentive to take advantage of lower cost recycling services and recycle more.

For example, weekly service for a three-yard bin is \$126.14 for waste disposal, but only \$37.88 for a same size recycling bin. A new fee structure was also developed for multi-family housing to encourage greater recycling.

Education the Key

Poway relies primarily on the tiered fee structure and on education of businesses to encourage business recycling. If a business appears to need coaching to improve its recycling, it is provided with information about how to make improvements to its recycling efforts. The hauler is required to initiate education outreach with businesses and to conduct waste audits as necessary or as requested by businesses.

Enforcement and Compliance

Businesses are required to contract with the hauler for weekly recycling services. If a business declines, it must demonstrate that it is either self-hauling, using another hauler for recyclables or demonstrate proof that its recyclables are being properly transported to a recycling facility.



12) Adopting a Mandatory Commercial Recycling Ordinance: The Experience of the Salinas Valley Solid Waste Authority and Its Member Jurisdictions

Community: Salinas Valley Solid Waste Authority. **Member agencies:** cities of Salinas, Greenfield, Gonzales, Soledad, and King City; eastern portion of unincorporated Monterey County.
Population: 250,000

Summary

Anticipating a new state requirement for businesses to recycle and in alignment with its vision to reduce the amount of waste by promoting individual and corporate responsibility, the Salinas Valley Solid Waste Authority¹ prepared a mandatory recycling ordinance for its six member agencies. The ordinance requires all generators of solid waste, including businesses, multi-family complexes, and local government and school facilities to recycle. Greenfield implemented the ordinance in 2009, followed by the Salinas with a January 1, 2011 implementation date.

In Greenfield, since mandatory commercial recycling became effective, businesses increased the tons of recycled materials collected by 152 percent between 2009 and 2010. At the same time businesses reduced the amount of solid waste being disposed, with commensurate cost savings. Commercial recycling is voluntary in the other member jurisdictions until an implementation date for a mandatory ordinance is designated by resolution

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

¹ The Salinas Valley Solid Waste Authority is a Joint Powers Authority that includes the cities of Salinas, Gonzales, Soledad, Greenfield, and King City, plus the eastern portion of unincorporated Monterey County. Individual member jurisdictions contract separately with solid waste and recycling service providers and all have exclusive franchises with the service providers. The Authority is responsible for providing secure long-term solid waste disposal service to all of its members in an environmentally sound and cost-effective manner. To accomplish this goal, the Authority currently owns three closed and one open landfill and two transfer stations, and oversees the contract or operation of these facilities. The Authority is also responsible for overseeing future landfill siting or expansion to meet the area's long-term solid waste disposal needs. The mission of the Authority is "to manage Salinas Valley solid waste as a resource, promoting sustainable, environmentally sound and cost effective practices through an integrated system of waste reduction, reuse, recycling, innovative technology, customer service and education."

of the Authority Board or until California's proposed statewide commercial recycling regulations are adopted.

Program Highlights

- The Authority's Board of Directors adopted the mandatory recycling ordinance in January 2010. It applies to each of its member agencies. The ordinance becomes effective by resolution of the Authority Board when the member agency and its franchise collector are prepared for implementation. Every generator of solid waste is subject to the ordinance, except federal institutions.
- Initially, two member cities of the Salinas Valley Solid Waste Authority, Greenfield and Salinas, implemented the mandatory recycling ordinance. The other member jurisdictions will either implement the state's proposed commercial recycling regulations when finalized or pursue an effective date for the Authority's recycling ordinance.
- In Greenfield, the tons of materials recycled by businesses increased by 152 percent (2009 compared to 2010). Materials collected included traditional bottles, plastic and cans eligible for California Redemption Value refunds plus paper and cardboard.
- Education and outreach to multi-family communities (apartments) helped to increase recycling rates. One county-wide property manager saved \$72,000 in the first full year after implementing the recycling program.
- Other than staff time to work with the haulers, the cost to the cities to adopt and implement the commercial recycling program was minimal. The development costs for the Mandatory Recycling Ordinance, as well as the costs for all education and outreach activities related to recycling and waste diversion, was part of the Authority's services to its members funded by landfill tipping fees.

"The Institute's sample ordinance, with the flexibility to modify different sections to meet local conditions, was wonderful. It prompted us to explore individual issues so we could focus our thoughts and needs on what would be the best way to meet circumstances in multiple jurisdictions. It was very helpful and made my job easier." – *Susan Warner, Diversion Manager, Salinas Valley Solid Waste Authority*

The Authority and hauler staff speak both English and Spanish in order to reach business owners and apartment managers and tenants. Written materials are available in both English and Spanish as well.

- To date, no enforcement actions have been taken due to lack of compliance by businesses. Education has been effective so far, strengthened by cost saving opportunities. The response by businesses has been good, once they understand what is involved and once they see their first bill with reduced costs.
- Recycling services cost less than solid waste disposal costs in all Salinas Valley Solid Waste Authority jurisdictions. In the three smallest jurisdictions, businesses do not pay for recycling services.

- The Authority used the Institute for Local Government's Sample Commercial Recycling Ordinance, along with other ordinances, in preparing the ordinance for its member agencies. The Institute's sample ordinance, with its extensive commentary, options and flexibility to modify to meet local conditions, helped focus the Authority on key issues to consider.

Lessons Learned

- Educating businesses and multi-family complex managers is key to increasing recycling quantities, even with a mandatory recycling ordinance.
- The opportunity to save money serves as a major incentive for businesses to recycle.
- One-on-one interaction with businesses and residents and conducting waste assessments increases recycling volumes.
- Reducing disposal costs and opportunities to save money translate into a significant carrot for businesses to participate.
- Having a minimum impact on business is helpful. For example, if a waste assessment recommendation includes having a covered recycling enclosure, it is helpful to work with permitting agencies (such as cities or the county) to streamline the permitting process. Key is to show the business that the cost savings from recycling will pay for the enclosure retrofits and that the permitting process is easy.
- Having consistent, uniform requirements regionally or statewide sometimes is helpful in moving ahead to increase commercial recycling.
- Having an understanding of applicable municipal (or county) codes and franchise agreement is critical in order to identify and resolve potential conflicts during the ordinance development.

Resources to Learn More

- [Salinas Valley Solid Waste Authority](#)
- [Salinas Valley Solid Waste Authority Commercial Ordinance](#)
- [Multi-Family Information in Spanish](#)

The Rest of the Story ...

In January, 2010, the Salinas Valley Solid Waste Authority, a joint powers authority consisting of five cities and the eastern portion of unincorporated Monterey County, adopted a mandatory recycling ordinance for all of its member agencies. The ordinance covers all generators, including residential, commercial, and multi-family residences. Traditional beverage containers (those covered by California's beverage container recycling law), cardboard and paper, bagged plastic bags and plastics 1-7, construction and demolition material and yard waste make up the materials included in the ordinance. Food waste and compostable materials can be added once there is a facility within the County permitted to accept and process these materials.

The Solid Waste Authority plans to phase-in adoption of the ordinance by member agencies in order to provide time to work with haulers and member agencies to harmonize franchise agreement provisions, give the haulers time to gear up in order to provide signage and containers (such as for multi-family apartments), allow time to evaluate the impact on revenues from reduced disposal fees, and to develop an alternative revenue model. Once the experiences and performance of the program in Greenfield and Salinas can be evaluated, the Authority will consider expanding it to other member agencies.

Initial Two Cities Implement Mandatory Commercial Recycling

The City of Greenfield adopted a mandatory commercial recycling program about six months before the Solid Waste Authority adopted its ordinance. Greenfield's implementation plan was completed to be in compliance with AB 939, the California Integrated Waste Management Act of 1989, under a compliance order from the California Integrated Waste Management Board (now CalRecycle).

Salinas, the largest city in the Authority, began implementing the ordinance in January 2010. It generates about 62 percent of the waste produced by the Authority's member agencies. Salinas implemented the recycling ordinance at the same time it was renegotiating its franchise agreement with its hauler. The timing made it possible to align the language of the franchise agreement with the language of the ordinance.

Education and Outreach Limits Need for Enforcement and Compliance

As part of the education effort, the Solid Waste Authority developed downloadable signage samples that businesses and multi-family complexes can use to help understand what materials to put in which bins. The haulers also help with education activities with businesses. The best message to educate businesses is the money they will save by recycling more and disposing of less. For example, in the first full year after participating in the city's mandatory recycling program, one county-wide property manager saved \$72,000 in disposal costs.

The Authority contacts businesses and multi-family complexes directly to offer assistance, including waste assessments. It also responds to requests for waste assessments. One-on-one interaction is most effective, with the carrot to recycle being the reduction in disposal costs. The staff of both the Authority and hauler include individuals who speak Spanish and English and most of Authority's the printed information is available in Spanish and English.

The Authority used a grant from the California Department of Conservation to provide education and outreach activities to residents in multi-family communities, resulting in a very high recycling rate in apartment communities. For example, in one 100 unit complex, 85 units sent residents to participate in a fiesta celebrating the kick-off for its recycling program.

The franchised hauler funds the cost of one recycling coordinator and one enforcement officer in Salinas. Very few if any enforcement and compliance actions have been needed, though, since education and technical assistance have proven to be effective. Individual member agencies handle enforcement of their ordinances and voluntary recycling programs through language in the franchise agreements.

The compliance language relates to contamination of recyclable material collection. Most agencies use a “3-strikes” type of compliance system. With the first strike the business receives a notice. With the second strike, the business receives another notice. With the third strike, the hauler can refuse to collect the recyclable material container or, can take the container’s contents and charge the generator based upon the significantly higher solid waste rate.

Hauler Responsibilities

As part of the franchise agreements, haulers provide signage to their customers and educate them about the need to recycle. The haulers must report information about tonnages collected and material types to the Solid Waste Authority monthly. Before adoption of the ordinances, the haulers provided this information voluntarily and as part of the different franchise agreements with the cities.

Results So Far

- Solid waste authority and city staff report that business response to the new mandatory ordinances has been good, once the businesses understand what is involved, including opportunities to save money. Services offered include waste assessments, information about recycling opportunities and recommendations about how to reduce waste and increase recycling. When the first month’s bill arrives, the business owner sees the real financial benefits of recycling.
- With just over one year of experience in Greenfield and about four months experience in Salinas, recycling rates are significantly higher, disposal rates are significantly reduced, and businesses are saving money. This is a result of the mandatory recycling ordinances, combined with the extensive education and outreach activities and lower recycling rates compared to disposal rates.
- Greenfield saw a 152 percent increase in tonnages of recyclable materials collected between 2009 and 2010, at a time when the total number of commercial customers declined.
- One county-wide multi-family complex property manager saved \$72,000 in the first full year of recycling due to reduced disposal costs.
- Detailed information about tonnages recycled will be available from the Authority in mid-2011.



13) Adopting a Mandatory Commercial Recycling Ordinance: The Experience of the City of San Carlos

Community: City of San Carlos (San Mateo County)

Population: 28,400

Summary

In April 2010, the City of San Carlos adopted a mandatory commercial recycling ordinance that requires businesses and apartment complexes with five or more units that generate two cubic yards or more of trash a week to recycle. The ordinance will be phased in over two years and includes all types of recyclable materials, special events, food waste and green waste. It was adopted after extensive consultation with the business community (which supported the ordinance) and includes an extensive outreach program to educate businesses. The effective date of the ordinance was January 2011. San Carlos is still compiling information about quantities of recyclable materials collected, trash disposed as a result of the ordinance, and savings to businesses.

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Program Highlights

- After extensive consultation with the business community, San Carlos adopted a mandatory commercial recycling ordinance in early 2010. The ordinance covers all businesses that produce two or more cubic yards of trash a week (and multi-family communities of five or more units).
- Businesses in San Carlos were very supportive of the city's efforts to move from a voluntary to a mandatory recycling program. Many businesses were motivated to support the ordinance because it was a locally designed program as opposed to a potential statewide mandate.
- In San Carlos, the cost to recycle is free; the cost for waste collection and disposal is based upon the size of the container.
- The city's exclusive solid waste service provider (Recology) and regional solid waste joint powers authority (Rethink Waste) provide the majority of outreach and education activities to

reach businesses, including waste assessments and recommendations, community workshops and events, program branding (“Biz Smart”) and informational videos.

- The ordinance’s start date (July 1, 2010) and voluntary phase coincided with a “Commercial Marketing Blitz” education and outreach program proposed by the new solid waste provider. This provided additional resources and support to launch the new ordinance.
- The ordinance includes a three-step enforcement and compliance process beginning with a courtesy letter and increasing to fines for repeated non-compliance.

Lessons Learned

- Involving key stakeholders is critical. Take time to talk to businesses early in the process and let the business community help shape the ordinance from the beginning.
- You might be surprised at the feedback you get; in San Carlos, the feedback was not what was expected. Businesses wanted broader coverage – that is, more businesses and material types included – and faster implementation.
- Work with the haulers and other partners to identify key stakeholders and develop a comprehensive outreach plan during the development and implementation stages.
- Much of what is needed to make the program work can be addressed through hauler agreements. Most key issues related to the role of the haulers can be addressed through language in the hauler’s franchise with the city. Be sure to review contract, permit or franchise language carefully so that it and the ordinance are consistent.
- Many key issues related to the role of haulers and material types included in the program can be addressed through language in the hauler’s franchise with the city.
- Each city or county should decide what it needs to do to comply with state law or local needs and decide what type of strategy is best for them – such as whether a mandatory ordinance is necessary or not.
- In the long run, it is worth spending time to educate the business community before formally beginning the program.
- Businesses that may not value “green” or climate change messages as reasons to participate in the program will understand the value of cost savings potential and improvements to their company bottom line as a reason to join the program and recycle.

Resources to Learn More

- [San Carlos Commercial Recycling Ordinance](#)
- [San Carlos describes getting started \(as part of ILG webinar\)](#)

- [San Carlos Education and Outreach Materials](#)
- [San Carlos describes its outreach and education activities](#) (as part of ILG webinar)
- [San Mateo County Recycle Works](#)
- [Rethink Waste – South Bayside Waste Management Authority](#)
- [Rethink Waste Pilot Mandatory Commercial Recycling Program](#)
- [San Carlos Final Report – Mandatory Commercial Recycling Project – Rethink Waste and Cascadia](#)
- [Highlights from Phase II Meetings in San Carlos – Mandatory Commercial Recycling Ordinance](#)
- [Overview of Stakeholder Process in San Carlos – Rethink Waste](#)

The Rest of the Story...

In April 2010, after more than a year of development, the City of San Carlos adopted a mandatory commercial recycling ordinance. All businesses (and apartment complexes with five or more units)² that generate two cubic yards or more of trash a week must recycle. Before adoption of the ordinance, recycling by businesses in San Carlos was voluntary. The ordinance covers all material types and includes special events. The city's solid waste and recycling franchise agreement specifies that recycling is free in San Carlos and waste collection costs are based upon the size of the container.

San Carlos uses an exclusive franchise system for both residential and commercial solid waste and recycling services. The city awards the franchise, which is then managed through a Joint Powers Authority (the South Bayside Waste Management Authority).³ The city's adoption of the new commercial recycling ordinance coincided with the selection of a new exclusive hauler (Recology) to provide solid waste and recycling collection services to residents and businesses. The July 1, 2010 effective date of the ordinance and the start of the voluntary phase of the ordinance matched the rollout of an education and outreach effort called a "Marketing Blitz" to the commercial sector in San Carlos by the new hauler. This enabled the city to maximize the value and effectiveness of the new ordinance, and provided additional resources and support to launch the new ordinance.

² Apartment complexes with four or fewer units are covered under the city's residential recycling program.

³ Formed in 1982, the South Bayside Waste Management Authority (RethinkWaste) is a joint powers authority with twelve member agencies (the cities of Belmont, Burlingame, East Palo Alto, Foster City, Menlo Park, Redwood City, San Carlos and San Mateo, the towns of Atherton and Hillsborough, the County of San Mateo and the West Bay Sanitary District) in San Mateo County. The primary goal of RethinkWaste is to provide cost effective waste reduction, recycling, and solid waste programs to member agencies through franchised services and other recyclers to meet and sustain a minimum of 50% diversion of waste from landfill as mandated by California State Law, AB 939. www.rethinkwaste.org/

While developing the ordinance, San Carlos looked at what other cities were doing and reviewed the ordinances of several cities of similar size.

San Carlos is phasing-in its commercial recycling ordinance over a two year period.

- Between July 1, 2010 and December 31, 2010, the city and its hauler undertook an extensive education and outreach program to provide information about the ordinance to the business community. Participation by businesses was voluntary.
- Beginning January 2011, all covered businesses are required to source separate recyclable materials, except for organic materials.
- Beginning January 2012, restaurants, food service businesses, and special events will be required to separate out organic materials.

Stakeholder Involvement in Development Phase Critical to Success

In the first phase of the ordinance development, San Carlos conducted extensive outreach to the business community. This occurred during the year prior to the ordinance's adoption. The outreach focused on educating the business community about the need for the ordinance, including letting the business community know about the concepts being considered. At the same time, the city gathered input from businesses and key stakeholders on what should be included in the ordinance. Outreach involved such groups as the Chamber of Commerce and service organizations, as well as one-on-one meetings with key businesses, and a survey of businesses in San Carlos. About 350 of the city's 2,000 businesses were contacted. The second phase of the outreach focused on gathering input about what might be included in the ordinance itself, based upon themes identified during the first phase.

Based upon the outreach conducted, San Carlos learned the following about how businesses viewed the concept of a mandatory commercial recycling ordinance.

- Businesses were generally very supportive of moving ahead with an ordinance. Many businesses already were recycling voluntarily.
- Businesses preferred emphasizing education rather than enforcement.
- Businesses responded well to receiving basic information about what might be included in the ordinance, as a way of responding to misinformation or misunderstandings.
- Businesses preferred that the mandatory recycling program begin sooner rather than later and be phased-in over a faster time frame than initially proposed by the city.
- Businesses appreciated the ability to be involved early in the development of the ordinance.
- Many businesses were motivated to support the ordinance by being able to have a locally developed program, as opposed to having to comply with a state mandate.
- Many San Carlos businesses already embraced "green" values. San Carlos has the largest number of businesses (30) that have been certified by the Association of Bay Area Governments' Green Business program in San Mateo County. (www.greenbiz.ca.gov/)

Educating Businesses to Recycle

San Carlos's business recycling program relies heavily upon educating businesses. Because recycling is free, while the cost of collection and disposal of waste is based upon the size of the collection bin, businesses can save money by recycling more and disposing less.

The city's new hauler will contact every business and multi-family community to provide waste assessments and recommendations to reduce waste and increase recycling. Specific outreach and education activities include a recycling media "blitz", community workshops and events, program branding ("Biz Smart"), and informational videos. (See examples of San Carlos's educational activities under "Resources to Learn More".

City and ReThink Waste (South Bayside Waste Management Authority) staff, along with consultants, work with the hauler to provide outreach and technical assistance. This includes identifying firms that need education and assistance to increase their participation in recycling programs and businesses that are litter or trash "hot spots" where increased pickup and recycling will improve the appearance of a business/store front and the community.

Role of the Hauler

As indicated previously, San Carlos's exclusive solid waste and recycling services provider will contact each business to offer waste assessments and recommendations. In addition, the hauler provides monthly and quarterly information about recycling tonnages collected consistent with provisions in the franchise agreement between the city and hauler. The hauler also plays a role in the enforcement and compliance system (see below).

Enforcement and Compliance System

San Carlos recycling ordinances uses a three-step enforcement process to promote compliance.

Step 1: Courtesy notice. (First violation) A written notice is attached to the garbage bin if recyclable materials are mixed with trash. Before or at the same time the hauler prepares the written courtesy notice, the hauler's representative may talk with the customer to educate him or her about recycling requirements and options.

Step 2: Warning letter. (Second violation) The city sends a notice to the customer to inform him or her that they are out of compliance and could be fined.

Step 3: Fines. (Third and subsequent violations) The city fines repeat offenders on a graduated scale (\$100 for the first offense; \$250 for the second; \$500 for the third).

The hauler provides quarterly reports to the city about enforcement actions, as per the franchise agreement.

Cost to City

City costs to date include staff time to develop the ordinance, including education and outreach activities. To minimize additional costs, the city is using existing staff to monitor the program. The city envisions using its Code Enforcement program for enforcement if and when that becomes necessary.

Results So Far

- Since the mandatory phase of the program began in January 2011, San Carlos is gathering preliminary information about quantities of recyclables collected and reductions in solid waste disposed, as well as cost savings to businesses.
- Because of the extensive pre-ordinance outreach activities, the education message associated with the program has resonated with businesses. Businesses clearly understand the recycling requirements, why the city adopted the ordinance and the potential cost benefits to businesses.
- While the ordinance is still in the honeymoon phase, the reaction from the business community so far is positive. Where there have been concerns about business compliance that does not meet the requirements of the ordinance, the hauler works with the individual business to explain the program and promote compliance. As a result, no enforcement actions have been taken since the program became mandatory.
- The city has set up a system to respond to “hot spots” of problems, either from business complaints, litter accumulation or other issues. The goal is to respond quickly before a small problem turns into a larger one.



Stories about Education and Outreach Activities



14) Commercial Recycling Education and Outreach Activities – Focus on Alameda County Waste Management Authority

Community: County of Alameda, 14 cities and 2 special districts
Population: 1,575,000 (includes both county and cities)

Summary

The Alameda County Waste Management Authority/Source Reduction and Reduction Board, also known as StopWaste.Org, is a Joint Powers Authority in Alameda County.⁴ Its members include the county, the fourteen cities in the county and two special districts that provide solid waste and recycling services. Its education activities to encourage businesses to recycle include technical assistance for waste prevention and recycling, targeted outreach and assistance to large businesses, online resources and assistance for smaller businesses, grants to businesses, and a high profile recognition program for businesses that recycle.

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Highlights

- StopWaste.Org substantially supplements the amount of commercial recycling and organics outreach activities that its member agencies do. StopWaste.Org focuses on the larger generators who generate 70 percent of the county's commercial waste stream. Within its member agencies, the cost to recycle is lower than the cost of disposal, providing a financial incentive to businesses.
- The StopWaste Business Partnership works with a consulting firm to provide technical assistance to businesses, emphasizing that they can often help the businesses save money on their trash bill. A key message is "We are here to help businesses save money and increase efficiency."
- The StopWaste Business Partnership offers businesses producing 15 cubic yards or more of waste and recyclable materials a week technical assistance through a site visit and waste assessment. It also offers other services, such as loans and grants, to other business.

⁴ StopWaste.Org promotes waste reduction and recycling through its Green Building, Bay Friendly Gardening and Landscaping programs, as well as by working with local school districts, and the StopWaste Business Partnership.
1400 K Street, Suite 205 • Sacramento, CA 95814 • 916.658.8208 F 916.444.7535 • www.ca-ilg.org

- The StopWaste Business Partnership places a high value on recognition and hosts an annual recognition event, as well as a print and web-based media campaign to recognize businesses and their employees who recycle.

Lessons Learned

- The more you speak the language of business, the more comfortable business decision-makers will be when considering devoting their time to work with agency staff. It is better to talk about the benefits to the business (such as saving money, or increasing the business's competitive advantage), rather than just a description of the service offered (such as "recycling technical assistance" or "waste reduction.").
- Gentle persistence is critical. If at first a company does not respond to efforts to engage with them, keep them on your target list and touch base every 3-6 months, especially if you know they are a large generator.
- Having a good relationship with the commercial haulers/recyclers is key. It is important to specify what kind of education to the commercial community is expected from the haulers.

Where to Go for More Info

- [StopWaste.Org website](http://StopWaste.Org)
- StopWaste Business Partnership.Org
- Alameda County Green Business Program

The Rest of the Story...

The Alameda County Waste Management Authority is a public agency formed in 1976 by a Joint Exercise of Powers Agreement among the County of Alameda, the fourteen cities within the county, and the two sanitary districts that provide refuse and recycling collection services.⁵ Many refer to the Authority by its popular name, StopWaste.Org.

StopWaste.Org's business assistance activities focus on education, outreach, and technical assistance. The permitting and franchising of solid waste haulers is handled directly by the individual cities and the two special districts. In most Alameda county jurisdictions, the cost to

⁵ The Alameda County Waste Management Authority is responsible for preparation of the Alameda County Integrated Waste Management Plan and Alameda County Hazardous Waste Management Plan. The Alameda County Source Reduction and Recycling Board (Recycling Board) was created in 1990 by the voters of Alameda County through a ballot initiative. The eleven-member board includes six citizen experts appointed by the Alameda County Board of Supervisors and five elected officials from the Alameda County Waste Management Authority.

The Authority manages a long-range program for development of solid waste facilities and offers a wide variety of other programs in the areas of source reduction and recycling, market development, technical assistance and public education. Funding is provided by per ton disposal and waste import mitigation fees. The Recycling Board is responsible for programs that promote source reduction, residential and commercial recycling, recycled product procurement and market development. Program funding is provided from a per ton disposal surcharge at the Altamont and Vasco Road landfills.

recycle is lower than the cost of disposal, thus providing a financial incentive to businesses to recycle.

Services Offered to Save Money

Close collaboration with recycling coordinators in each member agency and with the haulers help identify large generators for follow-up assistance by the StopWaste Business Partnership team. Partnership staff, along with a small team of consultants, identify the largest business and institutional generators of waste and work with them to provide technical and financial assistance. In some cases, making the initial contact and finding the right person in a business is a challenge. However, once the initial connection is made, the education effort focuses on increasing efficiency and saving money for the business. Participating businesses sign a letter of understanding, which acts as a commitment, or pledge, to work with StopWaste.Org to implement waste reduction recommendations.

For businesses that generate more than 15 cubic yards of waste a week, such as manufacturing facilities, hospitals, large schools, or commercial buildings, StopWaste.Org offers a site visit. The outcome of these on-site waste assessments is a report that recommends waste reduction opportunities, starting with easy-to-implement strategies (so called “low-hanging fruit”) and evolving into more complex strategies for reducing waste at the source. The StopWaste Business Partnership team also offers support finding markets and vendors for less common recyclable materials. Gentle persistence is used to keep the relationship alive over time.

Besides technical assistance, StopWaste.Org offers financial assistance to businesses of all sizes to help them increase recycling. This includes mini-grants (up to \$5,000) to get started or prepare education materials for employees, competitive waste prevention grants (\$10,000 to \$70,000), and low interest loans.

Resources and assistance for smaller businesses include eligibility to receive mini-grants, online waste audit guidance and eligibility to receive recognition through Alameda County’s green business program. All businesses can take advantage of StopWaste.Org’s robust library of online resources, how-to guides, and case studies covering various waste reduction practices.

Getting the Message Out

StopWaste.Org gets its message out to the business community through a variety of means, including:

- An e-newsletter sent four times a year to about 1,500 businesses, reminding them of the services available.
- A robust website that describes the services available, including financial resources.
- Partnership with chambers of commerce in the county and individual cities, including green links on the chambers’ websites to StopWaste.Org and participation in chamber activities (including newsletters and roundtables).

- Hosting a marketing ad campaign that allows businesses and their employees (such as facilities managers) to get recognition, such as in trade magazines, for their waste reduction and recycling efforts.
- Developing a social media campaign.

Recognition Is Critical

StopWaste.Org places a high value on recognition and devotes time each year to hosting a recognition event. Each year, ten to thirteen businesses that have made great strides receive awards. The event is well attended by businesses, local elected officials and economic development groups. StopWaste.Org also supports the county's Green Business certification program to recognize smaller businesses.



15) Commercial Recycling Education and Outreach Activities – Focus on City of Kingsburg

Community: City of Kingsburg (Fresno County)

Population: 11,250

Summary

Kingsburg works closely with its solid waste and recycling service provider that has an exclusive franchise to serve Kingsburg to educate businesses about how to comply with the city's mandatory commercial recycling requirements.

Program Highlights

- Kingsburg requires its solid waste and recycling service provider to conduct regular waste audits for commercial customers and provide monthly reports to the city on recycling tonnages to identify businesses that could improve recycling compliance and performance.
- Outreach to businesses is handled one-on-one between hauler and business owner using a friendly approach rather than a punitive one.
- The solid waste and recycling service provider encourages those businesses not in compliance with the city's mandatory recycling ordinance to reduce their solid waste collection costs by recycling more. This results in the need for smaller waste collection containers, thus saving the business money, since recycling collection service is less expensive than garbage collection service.

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Lessons Learned

- Using a direct, in-person approach to encourage recycling is more effective than mailing a brochure or flyer or issuing a citation for non- or under-compliance.
- When approaching businesses, be as friendly as possible rather than heavy-handed.
- Businesses, especially those that are part of large chains, are responsive to the opportunity to save money and help the environment.
- For non-English speaking business owners, using someone who speaks the same language and is knowledgeable about the city's recycling requirements is more likely to stimulate recycling and meeting the city's recycling requirements.

Resources to Learn More

- [Kingsburg Mandatory Recycling Ordinance](#) (on city website, on left under city departments, see city clerk, municipal code – Ch.18.12.030)
- [Kingsburg Recycling RFP](#)
- [_____](#)

The Rest of the Story...

Although Kingsburg is a small city, it has approximately 100 businesses, including several large chain retailers, that generate substantial waste. An active education and waste audit program by the city's exclusive waste hauler, along with monitoring by the city of the hauler, produced a nearly 70 percent reduction in waste disposal citywide. Businesses can reduce waste collection costs by increased use of recycling bins. This results in the need for smaller waste collection containers, thus saving the businesses money, since recycling collection service is less expensive than garbage collection service.

Kingsburg began working with the local Conservation Corps to provide recycling services at local high school athletic events and at six big festivals held in the city each year. The Conservation Corps not only provides recycling bins and removes them, but educates the public during the event on what to place in the recycling containers.



16) Commercial Recycling Education and Outreach Activities – Focus on San Diego’s Multi-Family Community Program

Community: San Diego (San Diego County)
Population: 1,300,000

Summary

The City of San Diego’s mandatory recycling ordinance (adopted in November 2007) requires businesses to recycle, including both large and small multi-family apartment. To achieve compliance, the city works hand-in-hand with haulers through franchise agreements, as well as with apartment property managers, to offer technical assistance and education about recycling, including site visits to multi-family units. The city also requires annual written communication between property owners and tenants and onsite signage to encourage tenants to properly recycle specified materials.

Program Highlights

- The city offers extensive recycling information on its website and hand delivers packets with recycling requirements tailored to multi-family complexes (apartments and condominiums).
- The city offers technical assistance by both city recycling staff and haulers to property managers to help establish and monitor placement of recycling containers, signage, and conduct tenant outreach.
- Haulers are required to have at least one person on staff who can speak knowledgeably about the city’s recycling requirements.
- The city conducts ongoing code enforcement activities at multi-family complexes to verify compliance with minimum mandatory recycling requirements and to identify complexes that have subscribed to recycling services. Although fines up to \$1,000 can be assessed for noncompliance, the city relies primarily on educational engagement, which has resulted in good cooperation from multi-family property managers.

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Lessons Learned

- Working with a wide variety of stakeholders early on helps immensely to ensure all stakeholders' concerns are heard, and to the maximum extent possible, incorporated into the final ordinance. It is then possible to enlist stakeholder support for the recycling program.
- Working directly with property owners and managers is effective in promoting a better understanding of how to implement the city's recycling requirements.
- Using franchise agreements as a tool to require haulers to provide recycling services for multi-family units creates a better climate of cooperation in implementing the city's recycling ordinance.

Resources to Learn More

- [San Diego multi-family recycling requirements](#)
- [How to set up multi-family recycling in San Diego](#)
- [Educational Toolkit](#)
- [Sample outreach letter to tenants](#)
- [Model apartment lease recycling language](#)
- [San Diego Recycling Ordinance](#)
- [Hear about San Diego's commercial recycling program, presented during an ILG webinar in 2010.](#)

The Rest of the Story...

The City of San Diego's mandatory recycling ordinance, adopted in November 2007, requires residents in all multi-family complexes to recycle. All multi-family complexes with 50 or more units must recycle a minimum of 40 percent of the total collection service capacity for recycled material. Multi-family complexes with fewer than 50 units must recycle a minimum of 30 percent of total collection service capacity for recycled material.

Reaching capacity limits at the Miramar Landfill, the City of San Diego pursued inclusion of commercial businesses and the nearly 227,000 multi-family units in the city into its recycling program. After meetings with stakeholder groups,⁶ the city's recycling ordinance took effect in January 2008 and was phased in over a two-year period. Prior to this, the city offered recycling services only to single-family residences and small multi-family complexes, while private haulers provided recycling services to businesses and larger multi-family complexes on a voluntary subscription basis.

⁶ Stakeholders included the San Diego County Apartment Association, the Chamber of Commerce, Building Owners and Managers Association, International Facility Management Association, San Diego County Taxpayers Association, and California Restaurant Association San Diego County.

After expansion of the commercial recycling program, along with implementation of a construction and demolition (C&D) debris deposit ordinance and a surcharge on C&D debris at the City's Miramar Landfill, the citywide disposal reduction rate climbed from 55 percent in 2006 to 66 percent by 2009. Similarly, refuse service measured in cubic yards and subscribed to by both commercial businesses and multi-family complexes decreased by 10 percent from 2008 to 2010, while recycling services increased by 76 percent. The city's mandatory recycling requirements, plus heavy educational outreach, produced the significant increase in recycling at multi-family complexes.

Program Elements

City staff and haulers are both responsible for educating property managers about recycling compliance. City code enforcement officers monitor recycling efforts throughout multi-family units to both improve compliance where recycling exists and to bring those complexes without recycling services into compliance. Packets with information about how to set up onsite recycling are delivered by city staff directly to multi-family properties.

Property managers must annually notify all tenants by mail about recycling requirements, including location of bins, materials to recycle, and mandatory compliance with the ordinance. Haulers, through their franchise agreements, are required to work with multi-family complexes to ensure compliance. The city offers extensive information and outreach materials, including sample letters to tenants, signage requirements, container specification, information on how to set up onsite recycling, and more.

Each month, the city highlights a multi-family recycler of the month. It also gives annual awards to complexes that have exemplary participation in the recycling program. The city's website features success stories as well. All of the educational outreach to encourage compliance with the city's commercial recycling ordinance emphasizes that compliance is mandatory and that increased recycling often reduces cost of disposal services overall, as recycling typically costs approximately 25 percent less than disposal services in San Diego.

Partnering with Apartment Association

In partnership with the San Diego County Apartment Association, the city made available 45,000 woven bags with imprinted recycling information for distribution by haulers and property managers for compact, in-unit collection of recyclable materials. This was enough to reach 20 percent of multi-family units. In addition, the San Diego County Apartment Association provides voluntary model lease addendum language for use by property owners to convey the city's recycling requirements to tenants.



Story about Organics – Commercial Food Waste Program



17) Creating a Successful Restaurant Food Scrap Recycling Program - Lessons Learned from the Eight City Regional Partnership Program in Orange County

Community: Regional partnership among eight cities in Orange County: Aliso Viejo, Dana Point, Laguna Niguel, Laguna Hills, Tustin, San Juan Capistrano, San Clemente, Rancho Santa Margarita

Combined Population: 426,275

Summary

A typical restaurant disposes more than 50 tons of organic waste annually, representing a significant portion of the waste stream that can be diverted from disposal with a food scrap recycling program. In April 2010, in response to a planned landfill disposal fee increase, eight cities in Orange County, along with the cities' solid waste service provider, began a pilot program to collect and transport restaurant food scraps to a composting facility. The program was funded by a grant from the Orange County Waste and Recycling Department.

Climate Action Connection

Sixty percent of landfill waste is generated by businesses. Promoting commercial recycling helps keep recyclable materials out of landfills. This conserves resources, extends the life of the landfill, saves businesses money and reduces the potential generation of methane, a greenhouse gas that is released from improperly managed landfills.

Program Highlights

- Each participating city approached five restaurants that are high food waste generators to participate in the free pilot program.
- Each participating city's recycling coordinator and staff from the solid waste service provider makes regular onsite visits to train restaurant employees to properly separate and contain food waste for recycling.
- The hauler provides the restaurants free indoor and outdoor bins for bi-weekly food scrap collection.
- Over 600 tons of food waste were diverted from the landfill and recycled into compost during the first six months of the pilot program.

- Some participating restaurants reduced the amount of food waste going to disposal, and thus their monthly solid waste collection bill, by 50 percent.
- The pilot program was funded by a \$400,000 grant from the Orange County Waste and Recycling Department.

Lessons Learned

- Financial incentives are important for restaurants to take the food scrap recycling program seriously. Restaurants that pay their own waste disposal bills are typically more interested in food scrap recycling to reduce solid waste collection costs.
- It's important to thoroughly train restaurant management and employees to collect food waste and use the bins provided. Both management and employees benefit from periodic, ongoing coaching.
- The greater the support by restaurant management for the recycling effort, the more successful the effort by the employees, thus resulting in more food scraps recycled and cost savings.
- Working together as a regional effort is important to help solve common problems with a new recycling program.

Resources to Learn More

- [Educational brochure, food waste recycling](#)
- [Participating restaurants in south Orange County food waste recycling program](#)
- [San Clemente food waste recycling program](#)
- [Laguna Hills food waste recycling program](#)
- [Aliso Viejo food waste recycling program](#)
- [Dana Point food waste recycling program](#)
- [Laguna Niguel food waste recycling program](#)
- [San Juan Capistrano food waste recycling program](#)
- [Rancho Santa Margarita food waste recycling program](#)
- [Orange County Organics Diversion Pilot Programs Comparison, AWWA Reporter, March 2011](#)

The Rest of the Story...

In 2009, faced with a 32 percent increase in landfill disposal fees, the City of Laguna Hills met with its exclusive solid waste and recycling service provider to discuss new recycling options. In Laguna Hills, restaurant food waste represents a large segment of waste disposed at landfills. A restaurant typically disposes over 50 tons of organic waste per year, representing 40-45 percent of its annual waste. Thus, Laguna Hills decided to explore a restaurant food waste recycling program.

After initial success with a trial group of restaurants, Laguna Hills and neighboring cities of Aliso Viejo, Dana Point, Laguna Niguel, Tustin, San Juan Capistrano, San Clemente, and Rancho Santa Margarita decided to take advantage of a grant program that would enable them to jointly undertake a food waste recycling program. All eight cities use the same exclusive hauler and all have a voluntary commercial recycling program. These cities and their solid waste service provider, CR&R, together applied for and received a \$400,000 grant from the Orange County Waste and Recycling Department to coordinate a joint regional food scrap recycling program. It mainly involved restaurants, but also a few other food-related businesses. San Clemente served lead city for the project. The participating cities primarily sought restaurants to participate in the pilot program that were the largest food waste generators. They focused on restaurants responsible for paying their own solid waste collection bills that would have a greater, direct financial incentive to save on waste collection costs. In addition to restaurants, the pilot program also included some hotels, markets and a farmers market held weekly at the Laguna Hills Mall.

The pilot program, which is voluntary and free to the participating restaurants and other food-related businesses, involves considerable mentoring by the recycling staff. For example, the food-related businesses receive free indoor and outdoor bins for food scrap collection. Posters and flyers help restaurants educate and remind their staff on proper collection of food waste. In addition, regular visits to the restaurants and food businesses by city and hauler staff helped to stimulate ongoing participation.

In-house recycling coordinators in each participating city initiated and monitor participation. In fact, having a lead staff person in each city is a key element to the program's success. In addition, CR&R allocates staff time on a regular basis to monitor the quality (contamination level) of recycled food waste and keep statistics on recycling volumes. The eight cities meet monthly with a representative from the hauler to review the status of the program and share data on the amount of recycled food waste collected.

Since the joint program began in April 2010, participating restaurants in San Clemente have reduced landfilling over 90 tons of food waste. Participating restaurants in Laguna Hills have reduced landfilling over 120 tons of food waste. Some participating restaurants reduced the amount of food waste going to disposal, and thus their monthly solid waste collection bill, by 50 percent.

The eight cities plan to continue the food scrap recycling program after the grant ends at the end of 2011. At that time, however, they may charge a fee for the recycling service. Analysis is currently underway on a possible fee structure, as well as consideration of whether to expand the food waste recycling program to residential customers.

This compilation of stories is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial, and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities and the California State Association of Counties. For more information and to access the Institute's resources on sustainability, go to www.ca-ilg.org/sustainability.

The Institute welcomes feedback on this resource:

- *Email:* info@ca-ilg.org Subject: *[name of this resource or individual story or stories]*
- *Fax:* 916.444.7535
- *Mail:* 1400 K Street, Suite 205 ▪ Sacramento, CA ▪ 95814



INSTITUTE FOR
LOCAL GOVERNMENT

Promoting Good Government at the Local Level

SUSTAINABILITY/CLIMATE CHANGE

Best Practices Framework



BEST PRACTICES FRAMEWORK

NEW BEST PRACTICES FRAMEWORK TO ASSIST LOCAL AGENCIES

About the Updated Climate Action & Sustainability Best Practice Framework

The updated Best Practices Framework (Version 6.0) reflects additions based on ILG's ongoing research into what cities and counties are doing to reduce greenhouse gas emissions, as well as feedback from earlier versions of the Best Practices Framework. Visit www.ca-ilg.org/ClimatePractices to view the Best Practices Framework online.

Links to Climate Leadership Stories

The updated version of the Best Practices Framework includes references to over forty Climate Leadership Stories. Each story describes the experience of a California community's exemplary efforts to reduce greenhouse gases.

Where to Find More Resources

Additional resources to assist local agencies reduce greenhouse gas emissions, promote sustainability, and save money are available at www.ca-ilg.org/ClimateChange.

Share Your Agency's Best Practices

If your city or county has programs or policies to reduce greenhouse gas emissions (in agency operations or in the community as a whole) that are not covered in the Best Practices Framework, please let us know. Please send a brief description of the program or policy, along with contact information for follow up if needed. Emails may be sent to: ClimateChange@ca-ilg.org.

Best Practice Areas

www.ca-ilg.org/ClimatePractices

- | | |
|---------------------------------------|---|
| 1. Energy Efficiency and Conservation | 6. Renewable Energy and Low-Carbon Fuels |
| 2. Water and Wastewater Systems | 7. Efficient Transportation |
| 3. Green Building | 8. Land Use and Community Design |
| 4. Waste Reduction and Recycling | 9. Open Space and Offsetting Carbon Emissions |
| 5. Climate-Friendly Purchasing | 10. Promoting Community and Individual Action |

BEST PRACTICES FRAMEWORK

THE FRAMEWORK SUPPORTS YOUR EFFORTS NOW

This Best Practices Framework offers suggestions for local action in ten Best Practice Areas (*see right*), both in agency operations and the community at large. An agency can use specific best practice suggestions for stand-alone programs or as part of a broad-based climate action plan to reduce greenhouse gas emissions. The suggestions are designed to reflect the variation among cities and counties and offer a variety of options ranging from simple steps to more complex undertakings.

Best Practice Areas

www.ca-ilg.org/ClimatePractices

- | | |
|---------------------------------------|---|
| 1. Energy Efficiency and Conservation | 6. Renewable Energy and Low-Carbon Fuels |
| 2. Water and Wastewater Systems | 7. Efficient Transportation |
| 3. Green Building | 8. Land Use and Community Design |
| 4. Waste Reduction and Recycling | 9. Open Space and Offsetting Carbon Emissions |
| 5. Climate-Friendly Purchasing | 10. Promoting Community and Individual Action |

YOU CAN START NOW

We encourage you to review the Framework and get started on those actions that make sense for your agency. Many ideas in the Framework can be implemented immediately, even if you don't have a climate action plan. For example, you can audit agency buildings and operations to find ways to save energy and money, such as by replacing lights, inefficient HVAC systems or water pumps. Buying climate-friendly products are another option. Check the Framework for ideas you haven't thought of – if it fits your agency or community, you can start today.

DEVELOP A BROAD-BASED CLIMATE ACTION PLAN

Strategies for reducing greenhouse gases often overlap more than one program area. For example, many practices that improve energy efficiency also can apply to green building and water conservation. Strategies to promote efficient transportation are related to land use and community design. You can use the Framework to help identify these overlaps and start developing a broad-based climate action plan for your community.

SEND US YOUR FEEDBACK

The Best Practices Framework is an evolving resource document. Over time, we will include new actions that reflect innovation at the local level. If your city or county has additional suggestions for best practices to share, please send them to us, along with any background information available. Email: climatechange@ca-ilg.org

INSTITUTE FOR LOCAL GOVERNMENT
CLIMATE ACTION & SUSTAINABILITY BEST PRACTICES FRAMEWORK

Energy Efficiency and Conservation

www.ca-ilg.org/energyefficiency

GOAL	BEST PRACTICE
<p>Energy conservation and efficiency in agency buildings and equipment.</p> <p><i>See also Green Building section for additional energy options.</i></p>	<p><i>Audit/evaluation</i></p> <ul style="list-style-type: none"> • Audit major agency buildings and facilities to quantify energy use and identify opportunities for energy savings through efficiency and conservation measures. • Conduct retro-commissioning studies of major agency building HVAC and lighting systems. • Benchmark energy use of major agency buildings. <p><i>Building retrofitting and retro-commissioning</i></p> <ul style="list-style-type: none"> • Develop an implementation schedule to implement no cost/low cost opportunities. • Develop implementation plan for capital intensive energy retrofits. • Develop implementation plan to achieve facility Energy Star rating of 60-75 or greater, where feasible. • Implement retro-commissioning improvements as recommended in studies. <p><i>Operations/protocols</i></p> <ul style="list-style-type: none"> • Establish energy efficiency protocols for building custodial and cleaning services. • Establish facility energy efficiency policy that provides employees with guidelines, instructions, and requirements for efficient use of the facility such as by turning lights and computers off, thermostat use, etc. • Implement off-peak scheduling of pumps, motors and other energy intensive machinery where feasible. • Incorporate energy management software or other methods to monitor energy use in agency buildings. <p><i>Standards/commissioning</i></p> <ul style="list-style-type: none"> • Develop commissioning and retro-commissioning standards for new and renovated buildings. • Develop and implement shading requirements for agency and community parking lots, buildings and other facilities to reduce the urban heat island effect. • Develop and implement a continuous commissioning plan. • Integrate energy efficiency, conservation, solar and other renewable energy technologies into new agency facilities. <p><i>Work with energy provider</i></p> <ul style="list-style-type: none"> • Work with energy provider to access utility's technical assistance and financial incentives.

**INSTITUTE FOR LOCAL GOVERNMENT
CLIMATE ACTION & SUSTAINABILITY BEST PRACTICES FRAMEWORK**

Energy Efficiency and Conservation

www.ca-ilg.org/energyefficiency

GOAL	BEST PRACTICE
Reduce energy use for traffic signal and street lighting system.	<ul style="list-style-type: none">• Replace incandescent traffic and crosswalk lights with energy-efficient light-emitting diodes (LEDs).• Replace incandescent and mercury vapor street and parking lot lights with energy efficient alternatives.
Reduce energy use by business and residents.	<ul style="list-style-type: none">• Encourage community businesses to conduct energy audits.• Work with energy provider to encourage commercial sector to install energy efficient exterior lighting that is appropriate for the location and use, considering security versus decorative lighting.• Require energy audits and/or retrofits, such as at time of sale of commercial and residential properties.• Work with energy provider to promote use of financial incentives to assist residential and commercial customers improve energy efficiency.• Promote and reward energy efficiency efforts of local retail businesses.• Collaborate with local retail businesses to encourage residents to purchase energy efficient products.• Adopt an energy financing program, such as that available through AB 811 energy financing districts, to encourage energy efficiency retrofits in existing residential and commercial buildings.

INSTITUTE FOR LOCAL GOVERNMENT
CLIMATE ACTION & SUSTAINABILITY BEST PRACTICES FRAMEWORK

Water and Wastewater Systems

www.ca-ilg.org/water

GOAL	BEST PRACTICE
<p>Reduce energy use in water, irrigation, and waste water systems (either operated by agency or by another agency or private company).</p> <p><i>See also Green Buildings section for additional options.</i></p>	<ul style="list-style-type: none"> • Audit agency's water and waste-water pumps and motors to identify most and least efficient equipment. • Develop and implement a motor/pump efficiency cycling schedule to use most efficient water or waste-water motors/pumps first and least efficient ones last. • Replace least efficient water/wastewater motors and pumps with more efficient units. • Work with agency or company that provides water and waste water service to implement an audit, cycling, and equipment replacement program for water and waste water pumps and motors. • Implement methane capture for energy production at wastewater treatment plants. • Use recycled water for agency facilities and operations, including parks and medians, where appropriate. • Retrofit existing agency buildings and facilities to meet standards for the LEED Standards Rating Systems for Existing Buildings (EB) or Commercial Interiors (CI). • Require dual plumbing for use of recycled water for new commercial and/or residential developments.
<p>Reduce water use in agency operations and in the community.</p> <p><i>See also Green Building section for additional options.</i></p>	<p><i>Agency operations</i></p> <ul style="list-style-type: none"> • Assess, maintain, and repair existing plumbing fixtures, pipes, and irrigation systems in all agency buildings and facilities to minimize water use, including building and parking lot landscaping, public rest rooms and parks, golf courses and other recreational facilities. • Upgrade and retrofit agency plumbing and irrigation systems with state-of-the-art water conserving technology. • Implement all feasible water efficiency strategies included in the Ahwahnee Water Principles for Resource Efficient Land Use in all agency parks, landscaping and in new developments. • Use compost and mulch in agency landscaping as a water conservation measure. <p><i>Community at large</i></p> <ul style="list-style-type: none"> • Adopt water efficiency principles similar to the Ahwahnee Water Principles for Resource Efficient Land Use for new and existing residential and commercial developments. • Implement water conservation and reclamation programs to reduce energy use associated with water delivery. • Require water efficiency audits at point of sale for commercial and residential properties. • Adopt retrofit program to encourage or require installation of water conservation measures in existing businesses and homes.

**INSTITUTE FOR LOCAL GOVERNMENT
CLIMATE ACTION & SUSTAINABILITY BEST PRACTICES FRAMEWORK**

Water and Wastewater Systems

www.ca-ilg.org/water

GOAL	BEST PRACTICE
	<ul style="list-style-type: none">• Encourage use of compost and mulch in private landscaping as a water conservation measure.• Partner with water provider to adopt water conservation measures.

INSTITUTE FOR LOCAL GOVERNMENT
CLIMATE ACTION & SUSTAINABILITY BEST PRACTICES FRAMEWORK

Green Building www.ca-ilg.org/greenbuilding	
GOAL	BEST PRACTICE
<p>Establish minimum levels of energy efficiency and green building standards for agency buildings and facilities.</p> <p><i>See also Energy Efficiency and Conservation section for more options.</i></p>	<ul style="list-style-type: none"> • Require that agency buildings have a performance equivalent to an Energy Star rating of at least 60-75 (as described in the LEED-E3 reference guide), where feasible. • Require all new agency buildings and facilities to meet at least LEED Silver certification standards. • Require renovated agency buildings and facilities and those using agency funds or other financial support to meet at least LEED Silver certification standards.
<p>Establish and implement minimum levels of energy efficiency and green building standards for commercial and residential buildings.</p> <p><i>See also Energy Efficiency and Conservation section for more options.</i></p>	<ul style="list-style-type: none"> • Require new residential and commercial construction to exceed Title 24 energy efficiency standards to extent permitted by law. • Provide technical assistance, financial assistance, and other significant incentives to private development projects that meet or exceed LEED Silver certification standards for commercial buildings. <p><i>Examples (www.ca-ilg.org/GreenBuildingStories):</i></p> <ul style="list-style-type: none"> ◦ Santa Cruz Tiered Green Building Standards ◦ West Hollywood Customized Green Standards <ul style="list-style-type: none"> • Adopt and implement a local green building ordinance or program setting minimum standards of LEED Silver certification for new or renovated commercial, industrial, and high-rise residential building projects. <p><i>Example (www.ca-ilg.org/GreenBuildingStories):</i></p> <ul style="list-style-type: none"> ◦ Richmond Tiered Building Standards <ul style="list-style-type: none"> • Adopt and implement a local green building ordinance or program to require new or enlarged low-rise residential construction to meet minimum green building standards, such as Build It Green, California Green Builder, LEED, or a similar program. <p><i>Examples (www.ca-ilg.org/GreenBuildingStories):</i></p> <ul style="list-style-type: none"> ◦ Fremont Residential Building Standards ◦ Morgan Hill Competitive Housing Allotment Process ◦ Richmond Tiered Building Standards ◦ San Mateo County Green Building Ordinance ◦ Santa Cruz Tiered Green Building Standards ◦ Santa Rosa Green Building Standards ◦ West Hollywood Customized Green Standards ◦ Windsor Green Building Program

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Green Building www.ca-ilg.org/greenbuilding	
GOAL	BEST PRACTICE
	<ul style="list-style-type: none"> • Provide technical assistance, financial assistance, and other significant incentives to private development projects that meet or exceed specified standards under green building programs such as Build It Green, California Green Builder, LEED, or a similar program. <p><i>Examples (www.ca-ilg.org/GreenBuildingStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Huntington Beach Fee Waiver & Recognition Programs</i> ◦ <i>Riverside Green Builder Program</i> ◦ <i>West Hollywood Customized Green Standards</i> <ul style="list-style-type: none"> • Work with commercial developers to incorporate materials and furnishings made from recycled content. • Require verification by a certified third-party rater to ensure compliance with green building standards. • Train appropriate agency staff (such as planners, inspectors, and plan checkers) in green building standards and technologies to facilitate approval and inspection processes. • Require completion of a green building checklist, such as those included in the GreenPoint Rated or LEED programs, for all appropriate building permit applications. • Work with neighboring jurisdictions, where feasible, to adopt a region-wide green building standard.
<p>Implement sustainable landscaping.</p> <p><i>See also Water and Wastewater section for more options.</i></p>	<ul style="list-style-type: none"> • Develop and implement sustainable landscaping standards for public agency facilities to reduce water consumption. • Use compost and mulch in agency landscaping as a water conservation measure. Encourage use in private landscaping. • Develop and implement sustainable landscaping standards for new commercial construction and renovation to reduce water consumption. • Develop and implement sustainable landscaping standards for new residential construction and renovation to reduce water consumption.

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CLIMATE ACTION & SUSTAINABILITY BEST PRACTICES FRAMEWORK

Waste Reduction and Recycling www.ca-ilg.org/wastereduction	
GOAL	BEST PRACTICE
Enhance existing waste reduction and recycling activities at agency buildings and in the community.	<ul style="list-style-type: none"> • Institute a comprehensive waste reduction and recycling program in agency offices and facilities. • Institute a partnership with other public agency offices located within the jurisdiction for waste reduction and recycling at those facilities. • Adopt a partnership with local schools for waste reduction and recycling. • Increase opportunities for e-waste and hazardous waste recycling by residents and businesses. • Educate the community about “buy recycled” opportunities. • Evaluate current community recycling infrastructure relative to future population growth and waste generation. • Include provisions and incentives for new recycling infrastructure and facilities to accommodate growth, in land use planning and zoning. <p><i>Example (www.ca-ilg.org/CommercialRecyclingStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Ojai Recycling Assessment District</i>
Implement source reduction, recycling and resource recovery programs for waste organic material. Produce compost, mulch, energy, and fuels from organic waste stream.	<ul style="list-style-type: none"> • Audit agency facilities to identify opportunities to increase material recovery and beneficial use of organic material. • Establish an organic material recovery program for green waste from agency parks and facility landscaping. • Establish a program to use the maximum amount as possible of organic waste generated within the jurisdiction to produce compost and/or biofuel, including use on agency parks and landscaping. • Use compost and mulch in agency landscaping as a water conservation measure. Encourage use in private landscaping. • Establish incentives for residents to participate in green waste recycling programs. <p>Adopt a restaurant food waste collection program or ordinance.</p> <p><i>Examples (www.ca-ilg.org/CommercialRecyclingStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Orange County Regional Restaurant Food Scrap Recycling Program</i> • Approve siting of composting facility within jurisdiction.
Reduce office and commercial waste and increase recycling.	<ul style="list-style-type: none"> • Adopt a program or ordinance to encourage or require recycling at multi-family apartments. <p><i>Examples (www.ca-ilg.org/CommercialRecyclingStories):</i></p> <ul style="list-style-type: none"> ◦ <i>San Diego County Mandatory Recycling Ordinance</i> ◦ <i>Fresno Mandatory Recycling Ordinance & Tiered Rate Structure</i> ◦ <i>Kingsburg Solid Waste Ordinance</i> ◦ <i>Poway Solid Waste Ordinance & Tiered Fee Structure</i>

Waste Reduction and Recycling

www.ca-ilg.org/wastereduction

GOAL	BEST PRACTICE
	<ul style="list-style-type: none"> ◦ <i>San Diego Multi-family Community Program</i> ◦ <i>Salinas Valley Solid Waste Authority</i> ◦ <i>San Carlos Solid Waste Ordinance</i> <p><i>For more information on this topic, see ILG's webinar: Recycling Programs at Apartment Complexes: Success Tips for Local Officials (www.ca-ilg.org/CommercialRecyclingWebinar)</i></p> <ul style="list-style-type: none"> • Implement a program to educate owners and residents of multi-family housing about recycling requirements and opportunities. • Adopt a program or ordinance to require recycling in the commercial/industrial sectors. <p><i>Examples (www.ca-ilg.org/CommercialRecyclingStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Sacramento Regional Business Recycling Ordinance</i> ◦ <i>San Diego County Mandatory Recycling Ordinance</i> ◦ <i>Chula Vista Clean Business Program</i> ◦ <i>Fresno Mandatory Recycling Ordinance & Tiered Rate Structure</i> ◦ <i>Irvine Tiered Franchise Fee Structure</i> ◦ <i>Kingsburg Solid Waste Ordinance</i> ◦ <i>Ojai Recycling Assessment District</i> ◦ <i>Poway Solid Waste Ordinance & Tiered Fee Structure</i> ◦ <i>San Diego Multi-family Community Program</i> ◦ <i>Kingsburg commercial recycling education and outreach program</i> ◦ <i>Alameda County Waste Management Authority</i> ◦ <i>Salinas Valley Solid Waste Authority</i> ◦ <i>San Carlos Solid Waste Ordinance</i> • Provide free bins to businesses to separate out cardboard and paper for solid waste sent to a mixed waste material recovery facility for processing. • Provide common area recycling services and storage bins (such as through an assessment district or other means) for businesses that lack storage space or access to recycling opportunities (such as in historic districts). • Adopt a program or ordinance to encourage or require waste audits and waste reduction plans for existing and/or new commercial developments.

Waste Reduction and Recycling

www.ca-ilg.org/wastereduction

GOAL	BEST PRACTICE
	<ul style="list-style-type: none"> • Implement a program to educate businesses, their employees, and their customers about recycling requirements and opportunities. • Audit major waste generators and recommend strategies to reduce waste and increase recycling. <p><i>Examples (www.ca-ilg.org/CommercialRecyclingStories):</i></p> <ul style="list-style-type: none"> ◦ <i>San Diego Voluntary Audits For Hospitality Industry</i> ◦ <i>Irvine Onsite Waste Audits</i> ◦ <i>Alameda County Waste Management Authority</i> ◦ <i>Salinas Valley Solid Waste Authority</i> ◦ <i>San Carlos Solid Waste Ordinance</i> <ul style="list-style-type: none"> • In partnership with the waste hauler(s) serving the commercial sector, institute a comprehensive waste reduction and recycling program with financial and other incentives, such as a tiered rate system that charges less for collecting recyclable materials than for collecting solid waste, to promote waste reduction and recycling for commercial/industrial waste generators. <p><i>Examples (www.ca-ilg.org/CommercialRecyclingStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Arcadia Waste Hauling Requirements</i> ◦ <i>Chula Vista Clean Business Program</i> ◦ <i>Huntington Beach Material Recovery Facility & Cardboard Incentive Program</i> ◦ <i>Irvine Tiered Franchise Fee Structure</i> ◦ <i>Loomis Material Recovery Facility & Cardboard Incentive Program</i> ◦ <i>Ojai Recycling Assessment District</i> ◦ <i>Poway Solid Waste Ordinance & Tiered Fee Structure</i> ◦ <i>Salinas Valley Solid Waste Authority</i> ◦ <i>San Carlos Solid Waste Ordinance</i> <ul style="list-style-type: none"> • Partner with the California Department of Resources, Recycling, and Recovery to encourage businesses and residents to participate in CalMax (California Materials Exchange) or a similar program. • Require recycling at special events, such as through special event permit conditions. • Include information about recycling opportunities on agency's Web site.

Waste Reduction and Recycling

www.ca-ilg.org/wastereduction

GOAL	BEST PRACTICE
Source reduction, recycling, and resource recovery programs for construction and demolition material.	<ul style="list-style-type: none"> • Require all agency demolition projects to incorporate de-construction and construction and demolition waste recycling or recovery practices. • Adopt a program or ordinance to reduce, reuse, and recycle community construction and demolition waste. • Adopt a “deconstruction” program or ordinance to salvage and reuse materials in all community remodeling projects. • Adopt and implement a policy to require use of rubberized asphalt concrete (RAC) for streets and roads. • Adopt and implement a policy to require use recycled asphalt pavement (RAP) for streets and roads. • Implement a policy to use RAP for commercial and community parking lots, where feasible. • Encourage schools and other public agencies to use RAP for parking lots, where feasible. • Establish a program or ordinance that results in 100 percent in-place recycling of asphalt concrete. • Establish a program or ordinance that results in recycling of 100 percent of all Portland cement and asphalt concrete.
Decrease carbon footprint of jurisdiction’s waste and recycling collection system.	<ul style="list-style-type: none"> • Work with solid waste and recycling collection providers to calculate carbon footprint of collection system. • Work with solid waste and recycling collection providers to reduce collection system footprint.

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Climate-Friendly Purchasing www.ca-ilg.org/greenprocurement	
GOAL	BEST PRACTICE
<p>Commit to purchasing specific products and goods that are climate-friendly.</p> <p><i>See also Waste Reduction and Recycling and Green Building sections.</i></p>	<ul style="list-style-type: none"> • Adopt and implement a procurement policy that establishes standards for climate-friendly products and requires agency purchases to meet such standards as: <ul style="list-style-type: none"> ◦ New equipment meets Energy Star or comparable energy efficiency standards. ◦ Computer purchases meet the highest feasible EPEAT certification level. ◦ Office paper purchases (copy paper, printer paper, writing pads, stationery, envelopes, and business cards) contain a minimum specified percentage of post consumer recycled content. ◦ Other paper purchases (paper towels, toilet paper, napkins, and similar items) contain a minimum percentage of post consumer recycled content. ◦ Carpeting and other furnishings contain a minimum percentage of recycled content. ◦ Plastic items (refuse and recycling receptacles, decking, parking lot barriers, furniture, etc.) contain recycled content. ◦ Oil and oil-related products contain recycled content. ◦ Products certified by either GreenSeal or EcoLogo, as long as they cost no more than an agency-determined percentage above the price of non-certified products. • Create an interdepartmental team to 1) promote policy implementation, 2) track policy adherence, and 3) suggest additional items to be included in the agency's climate-friendly purchasing program, including such tasks as: <ul style="list-style-type: none"> ◦ Reviewing and analyzing current (baseline) purchasing by major product categories. ◦ Prioritizing product categories in terms of greenhouse gas emissions implications and improvement potential. ◦ Reviewing policies, procedures, organization/staffing for implementation barriers. ◦ Developing multi-year implementation schedule based on priorities, difficulty, upcoming solicitations. ◦ Reporting achievements under the policy to policy makers and the public annually.

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CLIMATE ACTION & SUSTAINABILITY BEST PRACTICES FRAMEWORK**

Climate-Friendly Purchasing

www.ca-ilg.org/greenprocurement

GOAL	BEST PRACTICE
Purchase services that are climate-friendly.	<ul style="list-style-type: none">• Require service providers to follow climate-friendly practices, or provide a preference in selecting and contracting with service providers to those that follow climate-friendly practices.• Provide incentives for the use of alternative fuel vehicles for agency contracts for services involving vehicles (buses, waste hauling and recycling, construction, etc.).• Ensure that the highest feasible percentage of annual expenditures for contract services is with companies registered with the California Climate Action Registry or its successor.
Give a preference to climate-friendly vendors.	<ul style="list-style-type: none">• Provide a price preference to product vendors that follow climate-friendly practices, including use of recycled content materials, Energy Star and EPEAT materials and equipment, as well as alternative fuel vehicles.• Provide a price preference to product vendors that inventory and register their greenhouse gas emissions with the California Climate Action Registry or its successor and that report their verified greenhouse gas emissions within the jurisdiction.
Community education about climate-friendly procurement.	<ul style="list-style-type: none">• Educate the public about climate-friendly procurement opportunities.• Work with the business community to educate them about climate-friendly procurement opportunities.

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Renewable Energy and Low-Carbon Fuels

www.ca-ilg.org/renewable

GOAL	BEST PRACTICE
<p>Promote use of fuel efficient and alternative fuel vehicles to reduce reliance on fossil fuels.</p> <p><i>See also Efficient Transportation section</i></p>	<p><i>Agency operations</i></p> <ul style="list-style-type: none"> • Convert vehicles owned, leased, or operated by the agency to run on alternative fuels or other non-fossil fuel based technology that significantly reduces greenhouse gas emissions. • Install bicycle racks, showers, and other amenities at agency facilities to promote bicycle use by agency employees and visitors. <p><i>Community</i></p> <ul style="list-style-type: none"> • Allow public use of agency facilities that support use of alternate fuel vehicles, such as CNG facilities and electric vehicle charging stations.
<p>Promote methane recovery programs and projects.</p> <p><i>See also Waste Reduction and Recycling section.</i></p>	<ul style="list-style-type: none"> • For jurisdictions that own or operate one or more landfills, recover and use the maximum feasible amount of recoverable methane gas from the landfill to produce electricity, fuel co-generation facilities, and/or produce CNG for use in alternative fuel vehicles. • For jurisdictions that do not own or operate landfills, calculate the methane emissions associated with the disposal of waste generated within the community. • For jurisdictions that do not own or operate landfills, enter into partnerships or agreements with waste disposal agencies or companies to ensure that the maximum feasible amount of methane is recovered for waste-to-energy purposes. • Install digesters and other technologies at wastewater treatment facilities to produce methane and other bio-fuels.
<p>Promote the use of renewable sources of energy.</p>	<ul style="list-style-type: none"> • Install photovoltaic systems or other renewable sources of energy on agency facilities, or enter into power purchasing agreements to meet at least 10-25 percent of the electrical energy requirements of facilities owned, leased, or operated by the agency. • Adopt policy or program that offers incentives, such as streamlined permitting system or fee waivers, to encourage installation of photovoltaic systems on new or existing residential and commercial buildings. • Adopt an energy financing program, such as that available through AB 811 energy financing districts, to facilitate installation of renewable solar photovoltaic and hot water systems on existing residential and commercial buildings.

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Efficient Transportation www.ca-ilg.org/transportation	
GOAL	BEST PRACTICE
<p>Implement transportation planning processes that reduce automobile dependency.</p>	<ul style="list-style-type: none"> • Update transportation models and surveys to capture data for and accurately reflect all modes of transportation. • Make reductions in vehicle-miles traveled (VMT) a high-priority criteria in evaluation of policy, program, and project alternatives. <p><i>Example (www.ca-ilg.org/ClimateTransportationStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Central Petaluma Specific Plan</i> <ul style="list-style-type: none"> • Implement transportation planning procedures that consider demand management solutions equally with strategies to increase capacity. <p><i>Example (www.ca-ilg.org/ClimateTransportationStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Riverbank General Plan</i> <ul style="list-style-type: none"> • Include all significant impacts (costs and benefits) in benefit-cost assessment of alternatives, including non-market or indirect impacts, such as improving mobility options or reducing air pollution and greenhouse gas emissions. • Collaborate with other local government agencies to share transportation-related information, coordinate planning goals and processes, and take advantage of opportunities to combine and leverage scarce resources.
<p>Improve infrastructure and Transportation Systems Management (TSM).</p> <p><i>See also Land Use and Community Design section.</i></p>	<ul style="list-style-type: none"> • Implement Intelligent Transportation Systems (ITS) for surveillance and traffic control, such as synchronized signals, transit and emergency signal priority, and other traffic flow management techniques, to improve traffic flow and reduce vehicle idling. <p><i>Example (www.ca-ilg.org/ClimateTransportationStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Santa Clarita ITS System</i> <ul style="list-style-type: none"> • Implement programs to reduce "incident-based" traffic congestion, such as expedited clearing of accidents from major traffic arteries, airport traffic mitigation, etc. <p><i>Example (www.ca-ilg.org/ClimateTransportationStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Tehama County</i> <ul style="list-style-type: none"> • Develop infrastructure improvements such as HOV/HOT lanes and dedicated bus rapid transit right-of-ways.
<p>Reduce Idling.</p>	<ul style="list-style-type: none"> • Adopt and implement a policy requiring limitations on idling for commercial vehicles, construction vehicles, buses and other similar vehicles, beyond state law, where feasible.

Efficient Transportation

www.ca-ilg.org/transportation

GOAL	BEST PRACTICE
<p>Promote alternatives to single-occupant auto commuting.</p> <p><i>See also Land Use and Community Design section.</i></p>	<p><i>Agency operations</i></p> <ul style="list-style-type: none"> • Provide agency employees with incentives to use alternatives to single-occupant auto commuting, such as parking cash-out, flexible schedules, transit incentives, bicycle facilities, ridesharing services and subsidies, and telecommuting. <p><i>Example (www.ca-ilg.org/ClimateTransportationStories):</i></p> <ul style="list-style-type: none"> ◦ <i>San Mateo County Commute Alternatives Program</i> <ul style="list-style-type: none"> • Incorporate a guaranteed ride home program as part of agency commuter trip reduction incentive programs. • Reduce greenhouse gas emissions from municipal fleet operations by purchasing or leasing high MPG, low carbon fuel or hybrid vehicles, or by using an external car sharing program in lieu of city/county fleet. <p><i>Community</i></p> <ul style="list-style-type: none"> • Work with major employers in the community to offer incentives and services to increase the use of alternatives to single-occupant auto commuting (voluntary commute trip reduction programs). • Encourage and facilitate the development of car-sharing, Dial-a-Ride (or similar flexible-route transit service), and other services that reduce the need to use a personal motor vehicle. <p><i>Example (www.ca-ilg.org/ClimateTransportationStories):</i></p> <ul style="list-style-type: none"> ◦ <i>La Mirada Dial-A-Ride Program</i> <ul style="list-style-type: none"> • Develop and implement voluntary agreements for commuter trip reduction programs for new commercial developments. • Provide parking preferences in public lots, garages, and on-street spaces for residents who rideshare or use low-carbon fuel vehicles. • Implement variable (“congestion”) pricing and other pricing mechanisms for parking facilities, to provide incentives and discourage single-occupant-vehicle and peak travel. • Dedicate revenues from fees and tolls to promote alternative transportation modes. • Consider public health benefits of promoting use of transit and other alternatives to single-occupant vehicle travel as a means of reducing air pollution and greenhouse gases. (www.ca-ilg.org/ClimateWhitepapers)

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CLIMATE ACTION & SUSTAINABILITY BEST PRACTICES FRAMEWORK

Land Use and Community Design www.ca-ilg.org/ClimateLandUse	
GOAL	BEST PRACTICE
<p>Create communities and neighborhoods that are attractive, safe, and convenient for walkers and bicyclists.</p> <p><i>See also Efficient Transportation section.</i></p>	<ul style="list-style-type: none"> • Assess and report on pedestrian and bicycle conditions in existing communities and neighborhoods. • Develop a community-wide pedestrian and bicycle plan and capital program that maximizes the potential for residents to walk or bicycle within and between neighborhoods. <p><i>Example (www.ca-ilg.org/ClimateLandUseStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Riverside Bicycle Master Plan</i> <ul style="list-style-type: none"> • Require new commercial developments to install bicycle parking facilities and other cyclist amenities at a level commensurate with the number of employees or square footage. • Adopt and implement a community-wide pedestrian and bicycle plan. • Provide bicycle access to transit services on major transit corridors and other routes that may attract bicyclists, such as routes serving schools and colleges. • Install traffic calming devices and other measures to reduce traffic speeds and volumes and increase the safety and feasibility of bicycling and walking. • Implement design standards that require streets and sidewalks to be designed for multi-modal mobility and access, including walking and bicycling, to ensure that new development is designed, sited and oriented to facilitate pedestrian, bicycle and other mobility and access. <p><i>Examples (www.ca-ilg.org/ClimateLandUseStories):</i></p> <ul style="list-style-type: none"> ◦ <i>San Diego “City of Villages” Strategy</i> ◦ <i>Central Petaluma Specific Plan (Efficient Transportation)</i>
<p>Orient new development to capitalize on transit system investments and services.</p> <p><i>See also Efficient Transportation section.</i></p>	<ul style="list-style-type: none"> • Provide incentives and remove zoning and other barriers to mixed-use and higher intensity development at transit nodes and along transit corridors (existing and planned). <p><i>Examples (www.ca-ilg.org/ClimateLandUseStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Fremont Transit Oriented Development Overlay Zones</i> ◦ <i>Sacramento County General Plan Update</i> ◦ <i>Vista Downtown Specific Plan</i> <ul style="list-style-type: none"> • Require new development at transit nodes and along transit corridors to meet planning and design standards to generate, attract, and facilitate transit ridership as a condition of approval. • Integrate park-and-ride lots with multi-use facilities.

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CLIMATE ACTION & SUSTAINABILITY BEST PRACTICES FRAMEWORK

Land Use and Community Design

www.ca-ilg.org/ClimateLandUse

GOAL	BEST PRACTICE
<p>Adopt policies that promote compact and efficient development in new and existing communities.</p> <p><i>See also Efficient Transportation and Green Building sections.</i></p>	<ul style="list-style-type: none"> • Inventory infill development sites. Plan, zone, and provide incentives for new development and renovation of existing uses in identified infill areas. <i>Example</i> (www.ca-ilg.org/ClimateLandUseStories): <ul style="list-style-type: none"> ◦ Sacramento County Corridor Plans • Adopt and enforce land use ordinances and regulations that reduce greenhouse gas emissions. Examples include prioritizing mixed uses and infill development, and providing more transportation and housing choices. <i>Examples</i> (www.ca-ilg.org/ClimateLandUseStories): <ul style="list-style-type: none"> ◦ Livermore Zoning Code Update ◦ Petaluma General Plan 2025 ◦ San Diego “City of Villages” Strategy ◦ Vista Downtown Specific Plan ◦ Windsor Area Plans & Zoning Update • Require new housing and mixed use developments be built to the LEED for Neighborhood Development (LEED-ND) standard or its equivalent. <i>Example</i> (www.ca-ilg.org/ClimateLandUseStories): <ul style="list-style-type: none"> ◦ Chula Vista New Development Standards • Provide expedited application processing for development projects that meet climate change response policies.
<p>Incorporate greenhouse gas emissions considerations into the General Plan and environmental review process.</p> <p><i>See also Efficient Transportation section.</i></p>	<ul style="list-style-type: none"> • Include a greenhouse gas reduction plan in the General Plan, or include within the General Plan a requirement for development and adoption of a greenhouse gas reduction plan. <i>Examples</i> (www.ca-ilg.org/ClimateLandUseStories): <ul style="list-style-type: none"> ◦ Livermore Climate Change Element ◦ Petaluma General Plan 2025 • Analyze impact of greenhouse gas emissions from land use and transportation sectors in the EIR prepared in connection with general plan updates. • Amend local CEQA guidelines to explain how to treat analysis of greenhouse gas emissions, such as including thresholds of significance. [NOTE: the California Air Pollution Control Officers Association has published recommendations at www.capcoa.org.] • Analyze impacts of development projects on safety, availability, and use of alternative transportation in CEQA documents.

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<p>Establish planning processes that encourage reducing greenhouse gas emissions.</p> <p><i>See also Efficient Transportation section.</i></p>	<ul style="list-style-type: none"> • Develop and adopt a preferred “climate-friendly” land use and transportation scenario for future development to reduce vehicle miles traveled (VMT) through software tools such as the PLACE³S system developed by the California Energy Commission. • Incorporate land use and transportation policies in the General Plan, capital improvement program and other planning and spending documents, codes and ordinances to reflect the preferred “climate-friendly” land use and transportation scenario. • Implement a regional blueprint or other long-range, regional planning process to assess the climate impacts of future growth and develop a preferred regional climate-friendly growth scenario. • Involve emergency responders early and consistently in development of growth plans. • Collaborate with other local government agencies to share land use and community design related information, coordinate planning goals and processes, and take advantage of opportunities to combine and leverage scarce resources. • Review zoning codes and development policies to identify changes that could improve implementation of “climate-friendly” land use and transportation policies. • Consider public health benefits of designing communities that encourage alternatives to single-occupant-vehicle travel, such as by being more bicycle and pedestrian friendly. (www.ca-ilg.org/ClimateWhitepapers)
<p>Increase transportation choices.</p> <p><i>See also Efficient Transportation section.</i></p>	<ul style="list-style-type: none"> • Establish land use policies that support multimodal transportation systems and connection of modes to each other. <p><i>Examples (www.ca-ilg.org/ClimateLandUseStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Central Petaluma Specific Plan</i> ◦ <i>San Diego “City of Villages” Strategy</i> <ul style="list-style-type: none"> • Require sidewalks in all new developments. • Plan and permit road networks of neighborhood-scaled streets (generally 2 or 4 lanes) with high levels of connectivity and short blocks. • Zone for concentrated activity centers around transit service. <p><i>Examples (www.ca-ilg.org/ClimateLandUseStories):</i></p> <ul style="list-style-type: none"> ◦ <i>Central Petaluma Specific Plan</i> ◦ <i>Vista Downtown Specific Plan</i> <ul style="list-style-type: none"> • Coordinate planning and project approval procedures to increase collaboration between land use and transportation planning staff. • Cluster freight facilities near ports, airports, and rail terminals. • Coordinate with regional efforts and neighboring jurisdictions to plan for and accommodate alternate modes.

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CLIMATE ACTION & SUSTAINABILITY BEST PRACTICES FRAMEWORK

Open Space and Offsetting Carbon Emissions

www.ca-ilg.org/carbon

GOAL	BEST PRACTICE
<p>Preserve and enhance forests, parks, street trees, open space, and other natural systems that act as carbon “sinks.”</p>	<ul style="list-style-type: none"> • Inventory existing trees on property owned or managed by the agency and implement a management system to preserve and enhance the existing urban forest. • Manage parks, open space, recreational facilities, and other natural areas owned or operated by the agency to ensure the long-term health and viability of trees and other vegetation. • Develop and implement a community-wide urban forestry management and reforestation program to significantly increase the carbon storage potential of trees and other vegetation in the community. • Steer new development away from open space and agricultural lands that provide natural carbon storage. • Partner with other agencies and non-profit organizations to protect natural lands in and adjacent to the community through acquisition, conservation easements, or other long-term mechanisms. • Consider public health benefits of increasing the availability of parks and other recreational opportunities. (www.ca-ilg.org/ClimateWhitepapers)
<p>Promote local sustainable agriculture to reduce carbon emissions associated with food production, processing, and transport.</p>	<ul style="list-style-type: none"> • Promote the purchase of local and organic produce through farmers markets and other measures. • Enact a local food purchase policy for agency food purchases. • Promote conservation tillage and other agricultural practices to retain carbon fixed in soils.
<p>Offset carbon emissions through carbon credits or allowances.</p>	<ul style="list-style-type: none"> • Audit agency-sponsored events and activities to determine greenhouse gas emissions associated with the event/activity. • Achieve carbon neutrality at agency-sponsored events and activities through conservation, efficiency, alternative transportation, and the purchase of third-party verified emission reductions to offset carbon emissions. • Achieve carbon neutrality for major agency operations through conservation, efficiency, alternative transportation, and the purchase of third-party verified emission reductions to offset carbon emissions. • Create incentives for community organizations and residents to reduce their carbon use including the purchase of third-party verified emission reductions. • Purchase and retire third-party verified emission reductions to offset community-wide carbon emissions.

INSTITUTE FOR LOCAL GOVERNMENT
CLIMATE ACTION & SUSTAINABILITY BEST PRACTICES FRAMEWORK

Promoting Community and Individual Actions

www.ca-ilg.org/promoting

GOAL	BEST PRACTICE
<p>Promote individual actions to reduce greenhouse gas emissions and conserve natural systems that store carbon.</p>	<ul style="list-style-type: none"> • Survey businesses and residents to understand attitudes and behaviors related to climate change. • Develop and implement a community climate change education program that provides community members with basic information about climate change. (www.ca-ilg.org/ClimateChangeandPublic) <p><i>Examples (www.ca-ilg.org/ClimateCivicEngagementStories):</i></p> <ul style="list-style-type: none"> ◦ Pasadena Public Outreach Efforts ◦ South Pasadena Green Living Expo <ul style="list-style-type: none"> • Develop information and positive messages about activities individuals can take to reduce their own greenhouse gas emissions, such as reducing energy and water use, recycling, and using transit. • Identify the multiple benefits from actions to reduce greenhouse gas emissions, including environmental, community and financial benefits. • Include information on actions that individuals can take to address climate change in local agency mailings, websites, and other communications. <p><i>Example (www.ca-ilg.org/ClimateCivicEngagementStories):</i></p> <ul style="list-style-type: none"> ◦ San Mateo County Outreach Efforts <ul style="list-style-type: none"> • Develop a community climate change outreach and education program that enlists participation from schools, museums, service groups, business organizations (such as local Chambers of Commerce), neighborhood and homeowner associations, and other community partners. <p><i>Examples (www.ca-ilg.org/ClimateCivicEngagementStories):</i></p> <ul style="list-style-type: none"> ◦ Green Pasadena Leadership Summit ◦ “San Carlos Green” Community Task Force <ul style="list-style-type: none"> • Include climate change related projects as part of youth commission activities. (www.ca-ilg.org/ClimateWhitepapers) • Challenge community members to go on a “carbon diet” to promote individual action to reduce greenhouse gas emissions. • Provide programs and/or incentives to individuals, groups, and businesses that adopt practices that reduce their carbon footprint. Incentives can be financial or non-financial, such as official recognition of an individual’s, group’s, or business’ efforts. <p><i>Examples (www.ca-ilg.org/ClimateCivicEngagementStories):</i></p> <ul style="list-style-type: none"> ◦ Monterey County StepUp2Green Residential Certification Program ◦ Morgan Hill “Carbon Diet Club” Program

Promoting Community and Individual Actions

www.ca-ilg.org/promoting

GOAL	BEST PRACTICE
Promote cooperation among agencies and communities to reduce greenhouse gas emissions and conserve natural systems that store carbon.	<ul style="list-style-type: none">• Collaborate with other local government agencies to share information about climate change and best practices to reduce greenhouse gases. <i>Example (www.ca-ilg.org/ClimateCivicEngagementStories):</i><ul style="list-style-type: none">◦ San Mateo County Green Team◦ Yolo County Leadership Summits• Create an inter-agency local or regional climate action partnership and/or action plan with one or more sister agencies or neighboring jurisdictions. <i>Examples (www.ca-ilg.org/ClimateCivicEngagementStories):</i><ul style="list-style-type: none">◦ Yolo County Leadership Summits◦ Manhattan Beach Environmental Task Force• Initiate the regional action plan.• Participate in the development of a regional blueprint or other long-range planning process to assess the climate impacts of future growth and develop a preferred climate-friendly growth scenario.• Initiate a Community Climate Action Partnership with a Global Sister Agency.

Promoting Community and Individual Actions

www.ca-ilg.org/promoting

GOAL	BEST PRACTICE
	<ul style="list-style-type: none"> • Organize and promote community dialogues that educate residents about climate change and its possible impacts on the community. <i>Examples (www.ca-ilg.org/ClimateCivicEngagementStories):</i> <ul style="list-style-type: none"> ◦ <i>Fremont Climate Change Workshop</i> ◦ <i>San Carlos Community Forums</i> • Include representatives of diverse communities of interest (such as renters, business owners, neighborhood leaders, immigrants, low income residents and youth) when developing climate change policies and programs. • Develop informational material for residents about climate change and opportunities for individual action to reduce greenhouse gas emissions. <i>Example (www.ca-ilg.org/ClimateCivicEngagementStories):</i> <ul style="list-style-type: none"> ◦ <i>San Mateo County Outreach Efforts</i> • Use public involvement processes to develop recommendations from residents and businesses about the city or county's climate change action plan and actions the agency is taking to respond to climate change, such as through green building, energy conservation, efficient transportation, and other actions. <i>Examples (www.ca-ilg.org/ClimateCivicEngagementStories):</i> <ul style="list-style-type: none"> ◦ <i>Monterey County StepUp2Green Residential Certification Program</i> ◦ <i>Fremont Youth Engagement Efforts</i> ◦ <i>Manhattan Beach Environmental Task Force</i> ◦ <i>Mountain View Sustainability Task Force</i> ◦ <i>San Carlos Citizens General Plan Advisory Committee</i> • Provide opportunities for interested residents to stay engaged after the initial planning to help monitor and assess ongoing efforts and recommend plan adaptations as needed. <i>Examples (www.ca-ilg.org/ClimateCivicEngagementStories):</i> <ul style="list-style-type: none"> ◦ <i>Green Mountain View Implementation Group</i> ◦ <i>Pasadena Resident Environmental Advisory Commission</i> ◦ <i>South Pasadena City Commissions</i> • Collaborate with local non-profit organizations to assist them in promoting activities that reduce greenhouse gas emissions. • Provide participants in agency-sponsored public engagement activities with easy to understand information to help them participate effectively.



INSTITUTE FOR
LOCAL GOVERNMENT

Promoting Good Government at the Local Level

SUSTAINABILITY/CLIMATE CHANGE

Commercial Recycling Flyer Template



WHAT YOU NEED TO KNOW ABOUT RECYCLING REQUIREMENTS FOR APARTMENTS

Why recycle?

- State law now requires that apartment communities/multi-family housing with 5 or more units and that generate 4 cubic yards or more of waste per week must recycle.
- Recycling may provide opportunities to save money.
- Recycling helps conserve resources and also helps create a healthy environment for our community and future generations.
- Many apartment residents are requesting recycling. Providing recycling helps promote your community as environmentally friendly and may help fill vacancies.

How to get started

It's easy to recycle.

- Use the information on the other side of this flyer to help your residents learn what they must do and what items can be recycled.
- Make sure residents separate recyclable items from trash inside their home.
- Tell residents they must place recyclable items in outside recycling containers for collection.
- Make sure residents know where outside recycling containers are located.
- **Note:** Any business or individual may donate, sell and/or otherwise arrange for the pickup of recyclable materials.

Where to go for more information

[Option 1: For communities with an exclusive franchise]

Contact [\[insert name of waste hauler\]](#) at
[\[insert phone #\]](#)

Visit [\[insert URL\]](#) for more information from
[\[insert your agency's name\]](#)

For additional general information about recycling and waste reduction, visit the California Department of Resources Recycling and Recovery (CalRecycle) at www.calrecycle.ca.gov.



Information about multi-family recycling is available from the California Apartment Association at www.caanet.org/caarecycling.



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- **Note:** Any business or individual may donate, sell and/or otherwise arrange for the pickup of recyclable materials.

Where to go for more information

[Option 2: For communities with open competition]

Visit [\[insert URL\]](#) for a list of local recycling and solid waste service providers.

Visit [\[insert URL\]](#) for more information from [\[insert your agency's name\]](#).

For additional general information about recycling and waste reduction, visit the California Department of Resources Recycling and Recovery (CalRecycle) at www.calrecycle.ca.gov.




Information about multi-family recycling is available from the California Apartment Association at www.caanet.org/caarecycling.

WHAT YOU NEED TO KNOW ABOUT




RECYCLING REQUIREMENTS FOR APARTMENTS

Apartment owners are required to offer recycling, and residents are required by law to recycle. Recycling helps conserve resources and also helps create a healthy environment for our community and future generations.

Types of material to recycle




- Clean, dry paper — junk mail, newspapers, magazines, phone books, catalogs
- Cardboard boxes
- Plastic and glass bottles and jars
- Metal and aluminum cans
- Metal containers and empty aerosol cans
- Plastic bags and dry cleaners bags



Don't put in recycling bin



- Broken glass
- Contaminated or wet paper
- Plastic hangers
- Plastic toys
- Garden hoses
- Rubber tires
- Hazardous waste — paint, batteries, antifreeze, pesticides, cleaning products, appliances, cell phones, TVs, computer monitors
- Do not place rubber tires or hazardous waste in recycling bins. For information on proper disposal or recycling of these materials, see [\[insert URL or other information\]](#).



How to recycle



Separate recyclable materials inside your home and place them in the outside recycling collection containers provided at your apartment community.

[\[Apartment manager may insert additional instructions here for tenants.\]](#)

Where to go for more information

- Talk to your apartment manager.
- Visit [\[insert URL\]](#) for more information from [\[insert your agency's name\]](#).



LO QUE TIENE QUE SABER SOBRE LOS REQUISITOS DE RECICLAMIENTO EN EDIFICIOS DE DEPARTAMENTOS

¿Por qué reciclar?

- La ley estatal ahora exige a las comunidades de departamentos/viviendas multifamiliares con 5 o más unidades, y que generan 4 yardas cúbicas o más de desperdicios por semana, que reciclen.
- El reciclamiento puede brindar oportunidades para ahorrar dinero.
- El reciclamiento ayuda a conservar recursos y también crea un entorno saludable para nuestra comunidad y las generaciones futuras.
- Muchos residentes de departamentos están solicitando que se recicle. El reciclamiento ayuda a promover su comunidad como un lugar ecológico y puede ayudar a llenar sus plazas vacantes.

Cómo empezar

Reciclar es fácil.

- Use la información que se encuentra al dorso de este volante para ayudar a sus residentes a saber lo que tienen que hacer y qué artículos se pueden reciclar.
- Verifique que los residentes separen en su casa los artículos reciclables del resto de la basura.
- Informe a los residentes que tienen que colocar los artículos reciclables en los recipientes de reciclamiento colocados afuera del edificio para ser recolectados.
- Verifique que los residentes sepan dónde están los recipientes de reciclamiento externos.
- **Nota:** Cualquier empresa o individuo puede donar, vender y/o coordinar la recolección de materiales reciclables.

Dónde obtener más información

[Option 1: For communities with an exclusive franchise]

Póngase en contacto con [insert name of waste hauler] llamando al [insert phone #]

Visite [insert URL] para obtener más información de [insert your agency's name]

Para obtener información adicional sobre el reciclamiento y la reducción de desperdicios, visite el Departamento de Recursos de Reciclamiento y Recuperación de California (CalRecycle) en www.calrecycle.ca.gov.



Puede obtener información sobre el reciclamiento de unidades multifamiliares de la Asociación de Departamentos de California en www.caanet.org/caarecycling.



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- Verifique que los residentes sepan dónde están los recipientes de reciclamiento externos.
- **Nota:** Cualquier empresa o individuo puede donar, vender y/o coordinar la recolección de materiales reciclables.

Dónde obtener más información

[Option 2: For communities with open competition]

Visite [\[insert URL\]](#) para obtener una lista de proveedores locales de servicios de reciclamiento y desperdicios sólidos.

Visite [\[insert URL\]](#) para obtener más información de [\[insert your agency's name\]](#).

Para obtener información adicional sobre el reciclamiento y la reducción de desperdicios, visite el Departamento de Recursos de Reciclamiento y Recuperación de California (CalRecycle) en www.calrecycle.ca.gov.

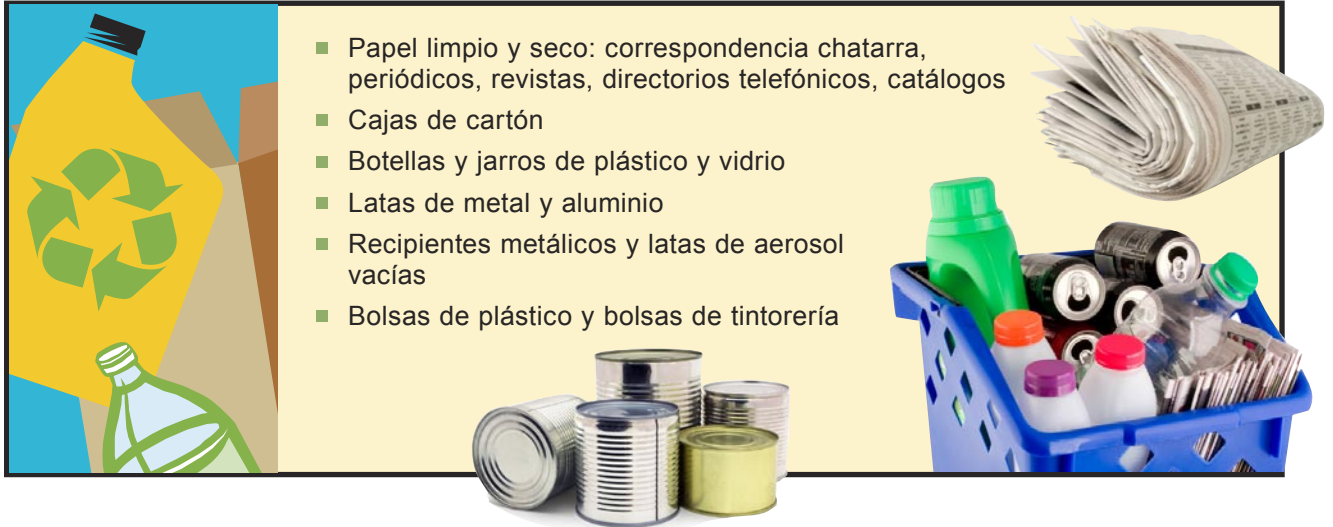


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LO QUE TIENE QUE SABER SOBRE LOS REQUISITOS DE RECICLAMIENTO EN EDIFICIOS DE DEPARTAMENTOS

Los propietarios de departamentos tienen la obligación de ofrecer el reciclamiento y los residentes de departamentos están obligados por ley a reciclar. El reciclamiento ayuda a conservar recursos y también crea un medio ambiente saludable para nuestra comunidad y las generaciones futuras.

Tipos de materiales a reciclar



- Papel limpio y seco: correspondencia chatarra, periódicos, revistas, directorios telefónicos, catálogos
- Cajas de cartón
- Botellas y jarros de plástico y vidrio
- Latas de metal y aluminio
- Recipientes metálicos y latas de aerosol vacías
- Bolsas de plástico y bolsas de tintorería

No coloque estos materiales en el recipiente de reciclamiento



- Vidrio roto
- Papel contaminado o mojado
- Perchas de plástico
- Juguetes de plástico
- Mangueras de jardín
- Llantas
- Desperdicios peligrosos: pintura, baterías, anticongelante, pesticidas, productos de limpieza, electrodomésticos, teléfonos celulares, televisores, monitores de computadora
- No coloque llantas ni desperdicios peligrosos en los recipientes de reciclamiento. Para obtener información sobre cómo desechar o reciclar estos materiales apropiadamente, visite [\[insert URL or other information\]](#).

Cómo reciclar



Separe los materiales reciclables dentro de su casa y colóquelos en los recipientes de recolección de material reciclado que se encuentran afuera, provistos por su comunidad de departamentos.

[\[Apartment manager may insert additional instructions here for tenants.\]](#)

Dónde obtener más información

- Hable con el administrador de su departamento.
- Visite [\[insert URL\]](#) para obtener más información de [\[insert your agency's name\]](#).



WHAT YOU NEED TO KNOW ABOUT

BUSINESS RECYCLING

Why recycle?

- **State law now requires all businesses that generate 4 or more cubic yards of waste weekly to recycle.**
- Recycling may provide opportunities for your business to save money.
- Recycling helps conserve resources and extends the life of California's landfills. It also helps create a healthy environment for our community and future generations.

How to get started

It's easy to recycle at your business.

- Make sure your business has arranged for recycling services (see below for more information).
- Use the list on the other side of this flyer to help employees learn what items can be recycled.
- Separate recyclable items from trash inside your business.
- Place your recyclable items in external recycling containers for collection.
- **Note:** Any business or individual may donate, sell and/or otherwise arrange for the pickup of recyclable materials.

Where to go for more information

[Option 1: For communities with an exclusive franchise]

To learn more, call [insert local phone number] or visit [insert URL].

Contact [insert name of waste hauler]
at [insert phone #]

Visit [insert URL] for more information from
[insert your agency's name].

For additional general information about recycling and waste reduction, visit the California Department of Resources Recycling and Recovery (CalRecycle) at www.calrecycle.ca.gov.





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Where to go for more information

[Option 2: For communities with open competition]

Visit [\[insert URL\]](#) for a list of local recycling and solid waste service providers.

Visit [\[insert URL\]](#) for more information from [\[insert your agency's name\]](#)

For additional general information about recycling and waste reduction, visit the California Department of Resources Recycling and Recovery (CalRecycle) at www.calrecycle.ca.gov.



Types of material to recycle



- Clean, dry paper
- Cardboard and chipboard
- Plastic and glass bottles and jars
- Metal and aluminum cans
- Metal containers and empty aerosol cans
- Plastic bags and dry cleaners bags, bundled



Don't put in recycling bin



- Broken glass
- Contaminated or wet paper
- Plastic hangers
- Rubber tires
- Hazardous waste — paint, batteries, antifreeze, pesticides, cleaning products, appliances, cell phones, TVs, computer monitors
- Do not place rubber tires or hazardous waste in recycling bins. For information on proper disposal or recycling of these materials, see [\[insert URL or other information\]](#).



[Testimonial or Optional Local Agency Info]



LO QUE TIENE QUE SABER SOBRE LOS REQUISITOS DE RECICLAMIENTO EN EMPRESAS

¿Por qué reciclar?

- La ley estatal ahora exige a las empresas que generan 4 o más yardas cúbicas de desperdicios semanales que reciclen.
- El reciclamiento puede brindar oportunidades a su empresa para ahorrar dinero.
- El reciclamiento ayuda a conservar recursos y extiende la vida útil de los rellenos sanitarios en California. También ayuda a crear un ambiente saludable para nuestra comunidad y las generaciones futuras.

Cómo empezar

Reciclar en su empresa es fácil.

- Verifique que su empresa haya contratado servicios de reciclamiento (vea a continuación para obtener más información).
- Use la lista que se encuentra al dorso de este volante para ayudar a sus empleados a entender cuales artículos se pueden reciclar.
- Separe en su empresa los artículos reciclables del resto de la basura.
- Coloque sus artículos reciclables en los recipientes externos de reciclamiento para su recolección.
- **Nota:** Cualquier empresa o individuo puede donar, vender y/o coordinar la recolección de materiales reciclables.

Dónde obtener más información

[Option 1: For communities with an exclusive franchise]

Para obtener más información, llame a **[insert local phone number]** o visite **[insert URL]**.

Póngase en contacto con **[insert name of waste hauler]**
llamando al **[insert phone #]**

Visite **[insert URL]** para obtener más
información de **[insert your agency's name]**.

Para obtener información adicional sobre el reciclamiento y la reducción de desperdicios, visite el Departamento de Recursos de Reciclamiento y Recuperación de California (CalRecycle) en www.calrecycle.ca.gov.





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- **Nota:** Cualquier empresa o individuo puede donar, vender y/o coordinar la recolección de materiales reciclables.

Dónde obtener más información

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Visite [\[insert URL\]](#) para obtener una lista de proveedores locales de servicios de reciclamiento y desperdicios sólidos.

Visite [\[insert URL\]](#) para obtener más información de [\[insert your agency's name\]](#)

Para obtener información adicional sobre el reciclamiento y la reducción de desperdicios, visite el Departamento de Recursos de Reciclamiento y Recuperación de California (CalRecycle) en www.calrecycle.ca.gov.



Tipos de materiales a reciclar



- Papel limpio y seco
- Cartón y cartón prensado
- Botellas y jarros de plástico y vidrio
- Latas de metal y aluminio
- Recipientes de metal y latas vacías de aerosol
- Bolsas de plástico y bolsas de tintorería, en paquetes



No coloque estos materiales en el recipiente de reciclamiento



- Vidrio roto
- Papel contaminado o mojado
- Perchas de plástico
- Llantas
- Desperdicios peligrosos: pintura, baterías, anticongelante, pesticidas, productos de limpieza, electrodomésticos, teléfonos celulares, televisores, monitores de computadora
- No coloque llantas ni desperdicios peligrosos en los recipientes de reciclamiento. Para obtener información sobre cómo desechar o reciclar estos materiales apropiadamente, visite [\[insert URL or other information\]](#).



[Testimonial or Optional Local Agency Info]



Sample Cover Letter to Businesses and Apartment Owners-Managers Receiving Commercial Recycling Flyer

How to Use This Sample Letter

Local agencies may use this sample cover letter as a companion to the sample commercial recycling flyer prepared by the Institute for Local Government. The purpose of the flyer and letter is to help local agencies educate businesses about proposed new state requirements to recycle, and about any local requirements that may apply. The sample cover letter includes suggested language and options that can be tailored to the individual community. It also includes commentary for local officials about key options or issues to consider as they adapt the letter for their individual agencies.

The sample letter reflects the proposed business recycling requirements under development by the State of California. The requirements are expected to be adopted in fall 2011. Information about the proposed regulations is available at: www.calrecycle.ca.gov/climate/Recycling/default.htm.

If the flyer template is used before the proposed statewide commercial recycling regulations are adopted in fall 2011, local agencies should modify the cover letter and flyer accordingly.

Who Should Receive the Letter and Recycling Flyer?

The sample cover letter and sample flyer are designed for local businesses and owners/managers of multi-family communities. Separate sample flyer templates are available for businesses and for owners/managers of multi-family communities. The multi-family community flyer also provides information for tenants. They all are available in both English and Spanish.

Local agencies may wish to use one cover letter for both businesses and apartment owners/managers, or prepare separate letters for each.

Where to Find the Sample Commercial Recycling Flyer Template

The sample commercial recycling flyer template is available in English and Spanish on the Institute for Local Government's website at www.ca-ilg.org/CommercialRecyclingFlyer. It is available in PDF and In-Design formats and can be modified by the local agency to fit local conditions. Instructions on how to access and modify the flyer templates are available at www.ca-ilg.org/CommercialRecyclingFlyer.

Options for Distributing the Flyer and Cover Letter

Finding the best way to reach the right individuals in the business and multi-family communities may vary depending upon the local agency. Agencies may want to use multiple approaches to distributing the flyer and educating businesses. Options to consider include the following.

- Work with your local solid waste and recycling service provider(s) to distribute the letter and flyer.
- Include the letter and flyer in monthly utility bills or with business license applications or renewals. Be aware, though, that this approach may not always be the best way to reach the right business managers who have the authority to establish recycling programs or sign up for recycling services.
- Work with local apartment associations to identify the best way to distribute the information to apartment owners and managers directly. Local agencies may want phase in contacting multi-family communities, starting with those that have on-site managers (generally any multi-family community with 16 or more units).
- Work with local chambers of commerce or downtown business associations to distribute the letters and flyers or give presentations at meetings or events.
- Work with ethnic business associations to distribute the letter and flyer.
- Provide cover letters and flyers at local agency facilities.
- Place the cover letter and flyers on the agency's website that informs businesses about local and state recycling requirements.

Small or rural agencies may have unique circumstances that limit their options to reach businesses. In these situations, local officials may wish to consider the following as ways to educate businesses about recycling requirements, in addition to those suggested above.

- Include the business recycling flyer and cover letter in the agency's annual business license renewal communication.
- Work with local solid waste and recycling service providers to give the flyer and cover letter to businesses they serve.

Acknowledgements

The Institute thanks the California Department of Resources Recycling and Recovery (CalRecycle) for its support of this project. The Institute also thanks the city, county, waste industry, apartment association and CalRecycle representatives who served on the Advisory Committee for this project.



Sample cover letter text begins on next page.

Local Agency Letterhead

Proposed Text for Sample Cover Letter

To: Businesses Operating in insert name of city/county

From: Insert name of agency contact (plus phone number-email if appropriate)

Re: New¹ State Recycling Requirements for Businesses and Multi-Family Communities²

The attached flyer is provided to help you, your employees and tenants understand new state requirements related to recycling by businesses.³ Additional copies of the flyer are available upon request or on the city/county website at URL.

Who Must Recycle

State⁴ [and local] law require[s] the following businesses to arrange for recycling services:

- Any business that generates 4 cubic yards or more of waste per week [modify to include local agency requirements if different]; and
- Multi-family communities with five or more units **and** that generate 4 cubic yards or more of waste per week. [modify to include local agency requirements if different]

How to Arrange for Recycling Services

[Option A: For communities with exclusive franchise or agency provided recycling services]

- Businesses that meet the threshold must place source-separated recyclable materials in the bins or containers provided by city's/county's exclusive waste and recycling service provider.
- Business may also donate, sell and/or make other arrangements for pick up and recycling of the materials. This includes self-hauling the materials to recycling facilities.⁵

[Option B: For communities with open competition]

- Businesses that meet the threshold must arrange for recycling services by one of the companies authorized to provide such service in insert name of city or county.
- Business may also donate, sell and/or make other arrangements for pick up and recycling of the materials. This includes self-hauling the materials to recycling facilities.⁶

[Option C: For communities served by mixed-waste material recovery facilities]⁷

- Waste and recyclable materials collected in city/county name are processed at a mixed waste materials recovery facility.
- Insert optional language regarding any source separation requirements for specified materials.
- Business may also donate, sell and/or make other arrangements for pick up and recycling of the materials. This includes self-hauling the materials to recycling facilities.

Opportunities to Save Money by Recycling⁸

In city/county name, you can save money by recycling more and disposing less. This is because recycling fees are less than waste disposal fees.⁹

Opportunities to Save Resources and Help the Environment

Recycling conserves resources and reduces greenhouse gas emissions. It extends the life of our landfills and helps create a healthy environment for our community and future generations.

Be Sure to Educate Your Employees

Employees are key to a successful business recycling program. Please make sure your employees know which materials can be recycled and where to place the recyclable materials for temporary storage and ultimate collection. Copies of the attached flyer may be useful to help education and inform employees about proper recycling procedures.¹⁰

Enforcement and Compliance Requirements¹¹

Insert information about local enforcement and compliance elements

What *Not* to Place in Recycling Bins

Some hazardous waste can be recycled if handled properly. Other types of hazardous waste must be sent to a special facility. Of course, no hazardous waste should be placed in trash containers.

- Hazardous waste such as batteries, paint, antifreeze, chemicals and cleaning products should not be mixed in with your recyclable materials set out for collection. Instead, these hazardous wastes should be recycled or disposed of properly. For more information about proper handling, please visit insert URL or other information.¹²
- Electronic devices such as old computers, monitors, TVs, and cell phones are recyclable but also contain hazardous materials. They should not be placed in recycling bins or in trash bins either. For more information about how to manage these items, visit insert URL or other information for e-waste collection opportunities.

- Got old tires? Make sure they end up in the right place by visiting insert URL or other information.

Where to Go for More Information¹³

- Information about California's *proposed* business recycling requirements is available from the California Department of Resources Recycling and Recovery (CalRecycle) at www.calrecycle.ca.gov/climate/Recycling/default.htm.
- Information about business recycling is available from the California Department of Resources Recycling and Recovery (CalRecycle) at www.calrecycle.ca.gov/Business/.
- Information about local business recycling requirements is available at _____¹⁴
- Insert information about how to learn about local community recycling service provider(s)

Technical and Financial Assistance¹⁵

Information about how to request a waste assessment at your business is available at [insert local agency URL or other information]

Information for Apartment Owners-Managers¹⁶

It is important that both apartment managers and tenants understand the requirements to recycle, which materials can be recycled and where to place them for collection.

- Proposed state law requires multi-family communities with 5 or more units **and** that generate 4 cubic yards of waste per week to recycle.
- Proposed state law requires apartment owners to offer recycling services, and residents are required by law to recycle.
- Insert information about any local recycling requirements for multi-family communities.
- The attached flyer can be used to educate tenants about proper procedures for recycling. Copies of the flyer may be duplicated; they are available at insert agency URL for printing and distribution to tenants.
- Consider placing the flyers in areas such as laundry rooms or at garbage collection locations.
- Consider giving the flyer to new tenants when the lease is signed and annually to all other tenants.
- Consider including recycling requirements in tenant leases.

- Information about multi-family recycling is also available from the California Apartment Association at www.caanet.org/caarecycling.¹⁷

Endnotes

Commentary for Local Agencies

¹ The proposed new state commercial recycling regulations are anticipated to be adopted in fall 2011. If the flyer template is used before the proposed statewide commercial recycling regulations are adopted, local agencies should modify the cover letter and flyer accordingly. For example, the word “Proposed” could be inserted before the term “State law.” Information about the status and content of the regulations is available at www.calrecycle.ca.gov/climate/Recycling/default.htm.

² Agencies may wish to combine the letters to businesses and apartment owners/managers or prepare separate versions for each. The sample letter can be modified to accommodate either approach.

³ The sample letter may be modified to include references to any local commercial recycling requirements as well. Similar language is included in the sample flyer template, which may also be modified to reflect local recycling requirements.

⁴ The sample letter reflects California’s proposed business recycling requirements currently under development. These requirements are expected to be adopted in fall 2011. Information about the proposed regulations is available at www.calrecycle.ca.gov/climate/Recycling/default.htm.

⁵ It is important to include this option in the letter to be consistent with existing law. (*See Waste Management v. Palm Springs Recycling Center, Inc., Cal. 4th 478 (1994).*) For questions regarding legal issues, local agencies should consult with their legal counsel.

⁶ It is important to include this option in the letter to be consistent with existing law. (*See Waste Management v. Palm Springs Recycling Center, Inc., Cal. 4th 478 (1994).*) For questions regarding legal issues, local agencies should consult with their legal counsel.

⁷ The proposed state business recycling regulations require that local agencies served by mixed waste material recovery facilities still must educate businesses about the need to recycle. In addition, in some communities served by mixed waste material recovery facilities, businesses are encouraged or required to source separate some recyclable materials (such as cardboard or paper) in order to avoid contamination. Finally, the ability of a business

to donate, sell and/or make other arrangements for pick up and recycling of materials, including self-hauling, still applies, regardless if the community is served by a mixed waste material recovery facility.

⁸ This section may be modified to reflect the recycling and disposal fee structure in communities. While in most cases recycling services cost less than disposal services, in those situations where they do not, it may be best to omit this section.

⁹ Consider inserting more detailed information about money-saving opportunities, such as (if applicable) “recycling is free” or “recycling is half the cost of waste disposal.” Other options include examples of how specific businesses have reduced their costs by increasing recycling or quotes from business owners or apartment managers who reduced their disposal bills by recycling.

¹⁰ Information about how to obtain additional copies of the flyer may be inserted here, in the “Where to Go for More Information” section, or in both places.

¹¹ The proposed state regulations related to business recycling do not include any requirement that cities or counties implement an enforcement or compliance system. Some locally adopted commercial recycling programs include enforcement and compliance requirements. If a local enforcement and compliance system exists, it can be described in this section. For more information about options for local agency recycling ordinances, including enforcement and compliance options, see the Institute for Local Government’s Sample Commercial Recycling Ordinance at: www.ca-ilg.org/samplecomrecycord.

¹² This section may be expanded to provide information about local hazardous waste recycling options for business that generate a small amount of hazardous waste. Some small businesses may be eligible to dispose of their hazardous waste through local household hazardous waste collection programs or events.

¹³ This section may be modified to include agency-specific information, such as website or telephone information, information about service providers (especially important if the agency is served by an exclusive franchise with one company), or other agency-specific information.

¹⁴ Include only if local business recycling requirements apply.

¹⁵ This option is available for agencies that offer waste assessments themselves or in conjunction with local service providers. Similarly, if financial assistance is available, such as grants or free bins/containers, this information can be included here.

¹⁶ This section may be included in the general cover letter, or in a letter prepared separately for apartment owners and managers.

¹⁷ Many local apartment associations have information about recycling. Consider including those resources in the letter as well.

Instructions for Modifying the Commercial Recycling Flyer Template: “What You Need to Know About Recycling Requirements for Apartments”

Introduction

This flyer template has been designed so that your local agency can modify it to meet your community’s unique circumstances. The template is available in both InDesign and PDF formats to help make modifying it easier. Both versions are available at www.ca-ilg.org/CommercialRecyclingFlyer.

Using InDesign Software. If your agency has InDesign software, the InDesign version of the flyer can be opened, saved and modified using InDesign.

Not Using InDesign Software. If your agency does not have InDesign software, the PDF version can be opened, modified and saved using one of the following methods:

- Save the flyer PDF to your computer, and then open the file in Photoshop; or
- Save the flyer PDF to your computer, and then open the file using Adobe Acrobat Standard or Professional software (not Adobe Reader). Use the “Advanced Editing” feature located in the Tools menu to enter and delete text.

Steps to Modify the Template

1. Select the appropriate version of page 1 for your agency.

- The flyer provided has two versions of page 1. The first version of page 1 has “Option 1: For communities with an exclusive franchise” under the heading “Where to go for more information.” If your community has an exclusive franchise, use this version for your page 1.
- The second version of page 1 has “Option 2: For communities with open competition” under the heading “Where to go for more information.” If your community has open competition, use this version for your page 1.

2. Delete the version of page 1 that does not apply to your agency and save the file.

- If you are using Adobe Acrobat, go to the “Pages” tab on the left side of the screen and delete the page of the version you will not be using.

3. Modify the text as needed, using these guidelines.

- On page 1 under the “Why recycle?” heading, the text in the first bullet indicates that “State law now requires that apartment communities/multi-family housing with 5 or more units and that generate 4 or more cubic yards of waste per week must recycle.” If your community also has a local ordinance that requires apartment communities/multi-family housing to recycle, you may wish to add language to that effect. You can use the editing method described above to make those additions.
- On page 1, under “Where to go for more information”, delete the red bracketed text that reads either [Option 1: For communities with an exclusive franchise] or [Option 2: For communities with open competition]. This text is included as a placeholder in the template to help you identify which version of page 1 to use and is not intended to be included in your agency’s final version of the flyer.
- As indicated in the text that follows the “Where to go for more information” header, your agency should insert local information to help apartment owners/managers. This could include, for example, a local agency website about recycling options and/or information about the recycling service providers operating in the jurisdiction. Be sure to delete the red bracketed text after you have inserted your information in these places.
- On page 2, your agency may wish to modify the bulleted text under the headings “Types of material to recycle” and “*Don’t* put in recycling bin” by adding or deleting items to ensure that the listed items match your local recycling requirements.
- Be sure to add the relevant local information to the text of the last bullet in the “*Don’t* put in recycling bin” section. This could include, for example, information about local household hazardous waste collection or electronic waste collection events.
- Under the “How to recycle” heading, note that there is a place where apartment managers may insert additional instructions, such as location of exterior recycling collection bins. Your agency may want to delete the placeholder line of text here so that the flyer has a clean appearance, and then inform the apartment managers of the option to include specialized local information here.

- In the “How to recycle” box under the “Where to go for more information” heading, insert your agency’s information as indicated.

4. Save your changes to the flyer.

- You may wish to save the document as a PDF so that it can be posted on your agency website and downloaded by apartment owners and managers.

5. Spanish-language version of the flyer.

- The flyer is also available in Spanish. Please note that if your agency wishes to make changes to the bulleted lists under “Types of material to recycle” and “Don’t put in recycling bin” sections, the new language that is added will need to be translated into Spanish.

This paper is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial, and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities and the California State Association of Counties.

For more information and to access the Institute’s resources on sustainability, go to www.ca-ilg.org/sustainability.

Instructions for Modifying the Commercial Recycling Flyer Template: “What You Need to Know About Business Recycling”

Introduction

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3. Modify the text as needed, using these guidelines.

- On page 1 under the "Why recycle?" heading, the text in the first bullet indicates that "State law now requires all businesses that generate 4 or more cubic yards of waste weekly to recycle." If your community also has a local ordinance that requires businesses to recycle, you may wish to add language to that effect. You can use the editing method described above to make those additions.
- On page 1, under "Where to go for more information" delete the red bracketed text that reads either [Option 1: For communities with an exclusive franchise] or [Option 2: For communities with open competition]. This text was included as a placeholder in the template to help you identify which version of page 1 to use and is not intended to be included in your agency's final version of the flyer.
- As indicated in the text that follows the "Where to go for more information" header, your agency should insert local information to help business owners. This could include, for example, a local agency website about recycling options and/or information about the recycling service providers operating in the jurisdiction. Be sure to delete the red bracketed text after you have inserted your information in these places.
- On page 2, your agency may wish to modify the bulleted text under the headings "Types of material to recycle" and "Don't put in recycling bin" by adding or deleting items to ensure that the listed items match your local recycling requirements.
- Be sure to add the relevant local information to the text of the last bullet in the "Don't put in recycling bin" section. This could include, for example, information about local household hazardous waste collection or electronic waste collection events.
- Your agency may wish to include a testimonial from a local business owner or additional information at the bottom of page 2.

4. Save your changes to the flyer.

- You may wish to save the document as a PDF so that it can be posted on your agency website and downloaded by business owners.

5. Spanish-language version of the flyer.

- The flyer is also available in Spanish. Please note that if your agency wishes to make changes to the bulleted lists under “Types of material to recycle” and “Don’t put in recycling bin” sections, the new language that is added will need to be translated into Spanish.

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